Truth and Loyalty 2.

VINDICATED,

From the

Reproches and Clamours

OF

Mr. *EDWARD BAGSHAW.*

TOGETHER WITH

A Further Diſcovery of the *LIBELLER*

Himſelf, and his *Seditious Confederates.*

By ROGER L'ESTRANGE.

Ex Ore Tuo.

BIBL CANT

LONDON;

Printed for *H. Brome,* and *A. Seile,* and are to be ſold at the *Gun* in *Ivy-lane,* and over againſt St. *Dunſtans* Church in *Fleetſtreet,*

June the 7th. 1662.

Truth and Loyalty

NINDICATED

from the

Reproches and Clamours

OF

Mr. EDWARD BAGSHAW,

Minister in Darbyshire.

By ROGER L'ESTRANGE.

Ke Ore Tho.

LONDON;

1635101

Printed for H. Brome, and R. Sare, and are to
be sold at the Gun in Ivy-lane, and over against
St. Dunstans Church in Fleetstreet.
June the 7th. 1664.

TO THE
RIGHT HONORABLE
THE
LORDS
OF HIS
MAJESTIES
Moſt Honorable
Privy-Counſel.

My LORDS,

IF *in* Duty *to his* Majeſty, *I become* Troubleſome *to your* Lordſhips, *I hope you will vouchſafe to Pardon ſo* honeſt *an* Importunity: *Eſpecially conſidering the high* Neceſſity *of the Office, as to the* Publique; *and the little* Benefit *he expects to reap by it, that* Undertakes *it. It is in Truth*

(My Lords) *grown* hazzardous *to Assert the* Cause *of the* Late King; *or the* Authority *of This, against the open, and profess'd* Adversaries *of* Both: *And they Proceed, as if the Act of* Oblivion *had only* Bound *the Hands of his Majesties* Friends, *and left his* Enemies Free. *Which would not be, were but your Lordships duly* Enform'd *in the Matter; and That you may be so, is the Scope and Service I pretend to in This most humble* Dedication.

I Think (My Lords) *it may be made appear, upon a* Modest Calculation, *that not so few as* Two-Hundred-Thousand *Seditious Copies have been Printed, since the blessed Return of his Sacred Majesty, (which being* Exposed *with* Freedome, *and* Impunity, *cannot fail to be* Bought up *with* Greedines) *To These may be added divers* Millions *of the* Old Stock, *which are Contriv'd and Penn'd with Accurate Care and Cunning, to Catch All Humours. What This* Glut *of* Poysonous Libels *may Produce, is submitted with Just Reverence to your Lordships Wisdom; for I presume not to make a* Judgement, *but barely to Offer an* Information: *Wherein, (as the faireſt Evidence of my*

Respect

Respect *and* Duty) *I shall be as* short *and* plain *as possibly the Case will bear.*

The late War is (*in* Terms) *Justified against* Pag. 57.
the Late King; and His Majesty Charg'd as an Overthrower of Religion, Parliaments, Laws, and Liberties.

Several Counterfeit Prodigies *Apply'd, as* Pag. 58.
Portents of Revolts; Persecutions; Casting off Kings; *And in fine, the Drift of the whole Book tends Chiefly to* Predict the Dissolution of the English Monarchy, and Episcopacy.

The Totall Extirpation of Bishops (*under the* Pag. 59.
Title of Sons of Belial) *is Recommended, in Mr.* Manton *his* Publication of Smectymnuus.

The King's Supreme Authority *in Matters* Pag. 60.
Eccleſiaſtical, *is absolutely disclaym'd, and the People are Encouraged* to Oppose the Imposers of Ceremonies, as Adversaries of the Truth.

The Power of the Two Houses *is Asser-* Pag. 62.
ted in Coordination *with the* King.

Harrison, Carew, *&c. are call'd* the Ser- *Ibid.*
vants of Christ: *Their Cause*, Christ's Cause;

and

and the Murther of the late King *is reported*
Pag. 63. *as* the most Noble, and High Act of Justice that our Story can Parallel.

Ibid. The King's Judges, *and* Counsell, *together with the* Jury *that Sate upon* John James, *are Charg'd with* thirsting after His Blood.

Ibid. *His Majesty is* Revil'd *and* Menaced *for his* Proclamation against Conventicles.

For Opposing These Insolencies, *and* Defending the King's Rights, *His* Cause, *and* Government (*without ever receiving any Pretence to a Reply*) *I have been* Twice Libell'd (*by Mr.* Edward Bagshaw) *as* Cromwels
Pag. 34. Spy, *and a Person* Infamous *both for* Condition, *and* Morality.

My Lords, I dare not Beg, *but I do secretly* Wish, *that he may be call'd to make it Good; which I the rather do, because the* Latter *of the Two was Tender'd to your Lordships as* My Character; *But Principally, for the Consequence: For if it comes to* That *once, That* (*in a time of* Peace) *a Man cannot be* Loyall, *but at the Hazzard of his* Life *and* Honour; *and that it becomes more* Safe, *and* Beneficial *to*

be

be Guilty, *then to be* Innocent, *I do most Dutyfully remit the Rest to your Lordships: Humbly Beseeching You (My Lords) to receive This further Advertisement concerning Mr.* Bagshaw.

He denies the King's Supremacy; *and* Animates the Subject against it. *Affirming* [That God has not Committed unto the *Magistrate*, but to his *Son*, the Government of His Church, even in the *Outward Polity*:] That the *Command* renders a Thing, in it self *Innocent*, utterly *Unlawful.*] *He makes* the King an Usurper.] *An* Idolater.] *An* Impious Pretender.], *He calls* the Prælation of Bishops, *an* undue, *and* Anti-Christian Dignity.] *He Inferrs His Majesty either* no King, or no Christian.] *He is Peremptory*, That the King is *Singulis Minor*, and, that the People may Depose him.] *Fixum Ratumque habeatur, Populi Semper esse debere Supremam Majestatem.*]

Pag. 11.
Pag. 12.
Pag. 14.
Pag. 15.
Pag. 16.
Pag. 17.

Having exposed These Particulars, *with several of the* Authours, *and* Publishers *of them, Referring to the Pages of the* Ensuing Discourse;

course; *I shall leave before your Lordships Feet This Humble Testimony of my Desires to serve the King. Wherein, if I have done* Amisse, I Submit; *if* Otherwise, *I have done but my* Duty: *Which obliges me* to Live and Dy, *with an* Unspotted, *and* Inviolable Faith *toward his* Sacred Majesty; *keeping my self also within Those Terms of* Modesty, *and* Veneration, *which may become*

My LORDS,

Your Lordships

Most Obedient Servant,

Roger L'Estrange.

The

The Præface.

I Have no Ambition to get my ſelf a Name *by a Diſpute with Mr.* Bagſhaw, *and (in effect) This way of* Wrangling, *is but a putting of it to the Queſtion*, Which is the finer Fool, the Plaintiff, or the Defendent? *Yet in regard that in This Caſe, the* Publique, *and my* Particular *appear ſo Complicated, that as I Suffer for* That, *ſo* That *likewiſe is Wounded through* Mee; (*for 'tis the* King *is* Struck at, *in his* Loyal Subjects, *and* They *are only* Perſecuted, *as* the Bar betwixt Authority and Rebellion) *I hold it but a* Modeſt *and*

Discreet Justice *not to divide in the Defence, what Faction and Malice have united in the* Scandal.

This being Resolv'd upon; The Course I mean to take with Bagshaw's *late* Rhetorical Libell, *(obtruded upon the World in form of a Letter to my Lord* Chancellour) *is to Report him* Word for Word, *and then to Examine, First his* Pretended Loyalty; *and after That, his* Bold *and* Scurrilous Defamations.

Pag. 10, 11, 12, 16, 17. *For want of* Softer *Words, I must make use of* Schism, Sedition, Treason, *&c. All which are prov'd against him under his own Hand. Touching the* Libellous *part, I leave it so clear, that I defie his greatest* Adorers *to be my* Judges.

The Greatness of His *mind (we must Imagine) would never have stoop'd* to so low an Pag. 46. Ebbe of Baseness, as to have brought a Fiddle under his Cloke for a Recommendation to *Oliver. (as he sayes* L'Estrange *did)*

Pag. 53. *See now This* Miserable Snake *licking the very Dust at the Feet of* Bradshaw!

The

The Measure of his Conduct, *and* Veracity, *may be taken from his* Frequent *and* Ill-Me-nag'd Contradictions.

For the Purity *of his* Style, *I refer the Reader to* Pages 34, 35, *&* 36. *But the Story of his* Life, *and* Manners, *I'll keep for a* Reserve; *for I am loth to overlay him at once.*

This is a quick *and* Homely Methode, *to* Say, *and* Prove *all* in a Breath; *and I ask no further Credit to This Paper, then is due to the Evidence which goes along with it: So that* hereafter, *no man that is not a* Professed Enemy *to the* King; *the* Church; *Nay,* Government *it self*; Truth; Modesty; *and* Discretion; *must ever own himself a* Friend *to Mr.* Bagshaw. *Yet after all, never were* Cause *and* Advocate *better Suited.*

When I *have laid his* Imposture *as* Naked *as* Truth *it self, I do intend so far to* Oblige *him, as to shew the World, in a* further Discovery *of* Seditious Persons, *and* Papers, *that Mr.* Bagshaw is not the only Enemy the King has. *I do expect that he shall thank me too, for sparing him in his* Character; *which*

even read at the Bar, *would make a* Judge Bluſh *upon the* Bench; *and ſhake the* Faith *of a* Good Chriſtian *to ſee a Perſon of* That Marque *in the* Pulpit. *But this is to* Proclaim Day-light, *and tell the World what every Body knows already. In fine,* Exceſſes *and* Revilings *are* Familiar *with* Him; *and He that* wonders *to ſee Mr.* Bagſhaw, for, *or againſt Any thing, may as well take the* Changes *of the* Moon *for* Miracles.

To

To the Right Honourable *Edward* Earl of *Clarendon*, Lord High Chancellor of *England*, &c.

Right Honourable,

I *Am so much a Stranger to your Lordship, that I believe the subscribing my Name, will but little benefit your Lordships knowledge of me; and the cause about which I write, being meerly the clearing of my self, is of so petty concernment, that I am afraid, in stead of procuring your Lordships good opinion, it may expose me to your Censure; and though I purge my self from all other my supposed Crimes, yet the very undertaking to trouble your Lordship with a matter so much below you, may render me guilty of a very transcendent presumption.*

But, my Lord, since none who is made so considerable as to be reputed dangerous, can be too mean to appear in his own just defence; and since your Lordship hath already suffered your Goodness so much to be wrought upon, as in a manner to condemn me unheard; and seem to conceive of me, as I have been lately represented, for a direct enemy unto the Church, and but meanly affected to the State; I thought it necessary, if for no other respect, yet for the sake of Truth (which always suffers in the Oppression of any one of her followers) to remove your Lordships mistakes; and by making a kind of Publick confession of my Faith, to vindicate my self from those suspicions, which if well grounded, would render mee not only incapable of Preferment (the want of which I shall never complain of) but likewise unworthy of any Protection.]

EDWARD BAGSHAW, Pag. 1.

Which he neither does not can.

TRUTH and *LOYALTY*, &c.

BEhold the *Prologue* to Mr. *Bagshaw*'s Pretended *Vindication*; who, it seems, *has been lately Represented to my Lord Chancellour for an Enemy both of Church and State.* Tis a great Truth; and *L'Estrange* is the Person that has so Represented him, and *This Paper* is to make good *That Charge.* I am not Ignorant, that in

R. L'S.

 laying

laying him Open, I do but crush a *Punaise*, and raise a *Stink*, to avoid an *Importunity*: yet since that *beastly work* is (for once) *necessary* in order to my *Quiet*; I shall first, for my Credits sake, shew the World by what unlucky Chance we came acquainted.

In *Jan.* last, was Printed a Discourse, Entit'led, *The Bishop of* Worcester's *Letter to a Friend, for Vindication of himself from Mr.* Baxter's *Calumny*. The Right Reverend Bishop, having by *undeniable Proofs*, and *unanswerable Arguments*, put the Case past all possibility of a *Rational Reply*, was soon after assaulted by a *Libel*: bearing for Title, *Animadversions on the Bishop of* Worcester's *Letter*. It was Dated *Jan.* 21. and Subscrib'd *D. E.*

In This Pamphlet, finding not only the *Person* of the *Bishop ill-Treated*, but the *King's Authority* tacitly *Disclaim'd*, and That of the *Church* more directly *Vilify'd*, I thought it my duty to endeavour something in their *Defence*; which I did, and (while my Papers were yet in in the Press) *D. E.* casts out a *Second Libel* (*Animadversions* still, but with This Addition ---- [*With an Answer to all that* L'S *intends to write.*] It was as foul as *Malice*, and *Forgery* could make it; and in fine, though it past without contradiction *abroad*, that *D. E.* and *Edward Bagshaw* were one and the same Person; yet would it not sink into *My* Thought, that it was possible for *a Minister of the Gospel*, to be Guilty of so great a *Scandal* to *Christianity*; or for one that calls himself a *Chaplain* to a *Privy-Counsellour*, to become *an Advocate for Sedition*: Till at length, I retrived the *Printer*, (one *Hayes* in *Wood-street*) who ingenuously confess'd upon Examination, that *they were done by the Order, and direction of Mr.* Bagshaw, *and that he delivered* five hundred Copies *of each, into Mr.* Bagshaw's *own hand, in the house of the Earl of* Anglesy. This Discovery was it, that gave me the first Knowledge of Mr. *Bagshaw*; and That too, but of his *Humour*; for to this hour, I cannot say, I have ever seen his *Person*.

Having

Having, in the first place, asserted the *Publique*, I thought it some Right to my own *Particular*, to make some search into the *Character* of my rude *Adversary*. Some of his *Soberest Excesses* I took notice of in my *Memento*, but the Gentleman, finding it Easier to *Calumniate L'Estrange*, then to *Defend Bagshaw*, (without returning a Syllable to the Particulars there Charg'd upon him, and under pretext meerly of *clearing himself*) throws out his Vomit against *Mee*; and with a *Sauciness*, suited to his *Rage*, and *Folly*, he Dedicates the *Unsavory Pamphlet* to my *Lord Chancellour*. His *Preamble* we have had already, and now follows his *Vindication*.

[B] TO begin therefore with that which makes the loudest noyse in the World, and that is, a supposal that I am no friend to Bishops; I need say no more in justification of my self than what I have already asserted, not only in my Latine Dissertation upon that Subject, but likewise in the Preface to that very Book which first begat the suspicion —— I then said, that I was a strict observer of the Doctrine of the Church of *England*, as it was contained in the thirty nine Articles (*as my several Treatises against* * Atheism, † Socinianism, ‡ Arminianism, *and* ¶ Popery *do witness*) and for that which is the prime branch of Discipline, *viz.* Episcopacy, or the subordination between Bishops and Presbyters; I do own it to be of Apostolical Institution, that is, as I understand it, *Jure Divino*; at least I think I am able to say as much for the Order of Bishops in the Church, as any can for the Baptizing of Infants, for the change of the Sabbath, for Tithes, or for any thing else, which hath no particular Divine Precept, but only Primitive practice and example to warrant it. And therefore in conformity to this Principle of mine, when the Bishops were sunk lowest not only for Pomp, but likewise for Reputation; and when no temptation either of profit or convenience, but rather the contrary, could work upon me, I then chose to be Ordained by one of them; which is a sufficient Argument of my reality and stedfastness. This, *my Lord, was my Judgement then, and bating the words Jure Divino*, (*which unless they be taken in a limited and restrained sense, are more than the Cause will bear, because there is no mention of Bishops as a distinct order in Scripture*) *is my judgement still, for though I know that* πρωτοκαθεδρία *or an ambitious* affectation of Primacy, *and all manner of* Lordliness *is to be avoided by* Church-officers, *yet I could never see any reason why there might not as well be different places and degrees for the Rulers of the Church; as it is evident there is difference of gifts, and great disparity*

E. B.
Pag. 2. & 3.
De Presbyteris & Episcopis, Pref. to the Great Question, &c.
* Discourse about *Jesus* and the *Resurrection*.
† Dissertationes Anti-Socinianæ.
‡ Treatise of *God's Decrees*.
¶ Treatise against the *Pope's* infallibility.
The Reverend and Learned Bishop *Brownrigge* on *Nov* 3. An. 1659.

parity of endowments: So that for the Order of Biſhops, *as* choſen by, *and* ruling with *their* Presbyters, *and by conſent acting in an eminent way of Power, I acknowledge it to be a Primitive uſage, and accordingly I have been, and am likely always to prove an Aſſerter of them.*

Having thus cleared my ſelf from that, which because of your Lordſhips great Devotion to the Church of England *in its preſent Conſtitution, was moſt likely to prejudice me in your Lordſhips thoughts,* &c.

R. L'S. [B] ALl This is but *Edward* againſt *Bagſhaw*; and *Both* againſt *Epiſcopacy*. The man is a *Friend* (it ſeems) to *Biſhops*, but an *Enemy* to *Prelates*. Hee is againſt an *Ambitious Affectation of* Primacy; (he ſays) and ſo are *Wee*; but not againſt the *Modeſt Exerciſe* of it. *Hee* is for a *Biſhop* choſen *by*, and ruling *with* his *Presbyters*: But *Wee* are for a *Biſhop* ruling his very *Presbyters*. In ſhort, here's the whole Difference: Mr. *Bagſhaw* is for a *Titular*; *Wee* are for an *Authoritative*; *Hee* for a *Presbyterian Biſhop*, and the *Church of England* for an *Apoſtolical*. Yet has This Gentleman the Face to talk as if he had Clear'd himſelf *to the Church of* England, *in its preſent Conſtitution*, when yet, in the ſame Page, he has Declar'd himſelf *point-blank againſt* it.

Marque now his *Preface* to the *Great Queſtion*, &c. and how he *Shuffles* in his Appeal to *Himſelf*.

He writes himſelf *a ſtrict Obſerver of the Doctrine*, &c. What's This to *Diſcipline*; or *Things Indifferent*? (which are the Subject Matter of his Diſcourſe); Nay, for *the Prime Branch of Diſcipline*, viz. *Epiſcopacy*; (which in Truth, is rather the *Root* of it) *he does own a Subordination between Biſhops and Presbyters to be* Jure Divino, &c. ---- But when he comes to *Limit* and *Reſtreyn* his *Jus Divinum*; and bring down his *Subordination* to a *Conſocial* Power; What's the *Reſult* of his Pretence, but either a *Presbyterian Epiſcopacy*, or an *Epiſcopal Presbytery*?

He pleads further for Himſelf, that he was *Ordeyn'd* by a *Biſhop*, *even when Biſhops were at Loweſt, both for Pomp, and Reputation; and when no Temptation, either of Profit, or Convenience, could work upon him.*

Firſt, Mr. *Bagſhaw's Sayings* are no *Articles of Faith*; and

and from a man so exceedingly addicted to speak more then he can Prove, This blank Affirmation is but a very slender Evidence that he was ever Ordeyn'd at all. But suppose he was, and by Bishop *Brownrigge*, on *Nov.* 3. *An.* 1659. Were Bishops *then* at *Lowest*, when the whole Nation was in a Flame, for the *Restoring* of the *Antient Government*? *Oliver* was now *Dead*, ----- *Richard*, *laid aside*; *The Honourable*, *my Lord* BRADSHAW (Mr. *B*'s adored Patron) newly *Departed*: and the Duke of *Albemarle* (then *General Monck*) was already advanced into *England* with his *Army* to oppose the Faction. Why does he not urge his *Dedication* to *Bradshaw*, and his *Dissertation*, *De Monarchiâ Absolutâ* (Both in 1659. too) as Arguments also of his good Inclination to the *Civil Government*? Upon the Matter; if he *was* Ordeyn'd; it was Manifestly his *Interest*, and not any *Affection* to the *Church* that Led him to it; as may appear from several Irreverent Expressions in the same *Preface*, against both the *Authority*, and *Constitutions* of it.

A greater Argument (says he) *of my Reality, and Stedfastness in Judgement, then most of Those, who now signalize themselves by distinctive Habits, can pretend to; since such may reasonably be presumed to wear them, either because they are the Fashion, or else the way to Preferment.* And a little Lower [*Ceremonies are so very Trifles, that they would vanish of Themselves; but that some men's* Pride, *Others want of* Merit, *make them so sollicitous to continue them.*] Preface to the Great Question. Ibid.

Mr. *B.* must be understood here, either of the *Imposers* of These *Distinctive Habits*, and *Ceremonies*, or of the *Conformers* to Those *Impositions*: If of the *Former*, he *Derides* the *Authority*; if of the *Latter*, he *reproaches* their *Obedience*. The *King Himself* is pleas'd to own a high Esteem and Reverence for Ceremonies. Nay, and Expressly to *Enjoyne* the use of the *Surplice*, in his *Chappel-Royal*, *Cathedral*, or *Collegiate Churches*, and in the *Colleges* of either *University*. I hope This is not *Pride* or *want of Merit* in his *Majesty*. But Mr. *Bagshaw* tells us, [That *none* Decl. Eccles. *Aff.* pag. 15.

Pref. to the Great Question.

can Impose what our Saviour in his Infinite Wisdom did not think Necessary, *and therefore left* Free.] That is; the King in This Injunction, has done more then he can Justifie. Now see his Kindness to the *Civill Government.*

E. B. *Pag.* 3.

[C] I *Shall next give an Account of my inclination to the* Civil Government; *and though I can make it appear, that during our late Confusions, I passed my Life with so much innocence, and so little compliance to the then usurping Powers, that* not one Publick Action I did but is capable of a fair and Equitable Plea; *yet since an* Act of Indempnity and Oblivion *is already passed, I think it my Duty so far to comply with his Majesties intention in granting that Act, as not to mention any thing, how* defensible *soever, which he hath commanded should be utterly forgotten.*]

R. L'S.

[C] SInce Mr. *B.* is so Frank as to proclaim the *Equity* of his *Past Actions*, wee'll take a Freedom to Examine some of them; and this may be done, without any Violence to the Act of *Oblivion.* So far as they are *warrantable*, there's no danger in the *Enquiry*; and where they are *Other*, his Justifying *Now* what he did *Then*, is a *New Crime.* So that I fear, this Gentleman will find he has overshot himself, in affirming that *not One Publique Action he has done, during our Late Confusions, but is Capable of a Fair, and Equitable Plea.*

E. B. *Pag.* 3. & 4.

☞

[D] TO *give therefore my present sense, I can sincerely profess, that* I have not only a *Loyal*, but a most *Affectionate* esteem for his Majesties Person and Government; *for since, besides the general obligation of a Subject, I am bound by my Religion to prize Gratitude above all things, I could not be just, should I not most earnestly desire the happiness of that Prince, unto whose single endeavours I owe both my* Civil *and* Religious Liberty; *for he must needs be a very great stranger in this our* Israel, *who doth not acknowledge, that his Majesties Personal and passionate interposing did confirm our* Indempnity, *and his most pious and unequalled Declaration hath sufficiently evidenced, that he is not unwilling to indulge the utmost extent of sober and Christian* Liberty; *which are expressions of so much goodness, in the midst of so great Power, and after so many*

many provocations, that he hath not the heart of a Man, much less of a Christian, who doth not always preserve a thankful remembrance of them; I am sure they are so deeply impressed upon me, that if in any writing of mine there be so much as a word, which can be wrested to the lessening of his Majesties JUST *Authority, I intreat your Lordship to take notice that I do hereby utterly* disown *it, as being directly contrary to my* Professed Principles, *which lead me to no one point of outward practise more strictly, than an exact and punctual obedience unto his Majesties Commands.*

[D] MR. *Bagshaw's Confession* of his Majestie's *Mercy*, does but *aggravate* the *Sin* of his *Abusing* it: which that he has done to the height of *Ingratitude*, and *Disloyalty*, shall be made good against him *by the Testimony of his own hand.* And yet, *if in any Writing of His, there be so much as a Word, which can be wrested to the Lessening of his Majesties* JUST *Authority, he utterly disowns it, as being directly contrary to his Professed Principles.* R. L'S.

His Majesties JUST *Authority*, is but a *Covenant-Salvo*; and in *His* accompt *so small*, that it can scarce be *Lessen'd*. But if it shall appear, that he not only *Lessens*, but totally *Rejects* it; will his *Disowning* serve his Turn? May not a *Thief* make the same Plea at the *Gallowes? Have not I Profess'd my self to be an Honest man? and Stealing is contrary to my Profess'd Principles.* Did not the *Murtherers* of the *Late King* plead *Duty*, and *Religion?* In short; if Mr. *Bagshaw* will *disown every thing that is Contrary to his Profession*, having Profess'd *for*, and *against* every thing, he must *own nothing.*

[E] I *Must confess, that ever since I became a Christian, which title I do not own, either to my Birth, or Education*; (*having then sensibly experimented the great difficulty of believing*) *I always doubted whether the Magistrates Power did properly extend to things of a* Religious Concernment; *and accordingly I handled that point, while it was* Res Integra, *and before ever there was any fear of Imposing: But since the Parliament now have decided that Controversie, and put the matter out of* Question, E. B. Pag. 4. & 5.

Preface to the Great Question, &c.

Question, I think my self, not only discharged from medling with it, but likewise concluded by what I have already declared, which was in these very words; That though for the present, I make use of that Indulgence, which His Majesty hath been pleased to allow unto Tender Consciences, that is, to all Rational and Sober Christians (the continuance of which, I dare not so much wrong His Majesties Goodness, as once to question) yet should his Majesty be prevailed upon, for some Reason of State, to enjoyn outward Conformity; I am resolved, by the help of God, either to submit with chearfulness, or else to suffer with silence. For as there is an Active Disobedience, which is, to Resist; so there is a Passive Disobedience, and that is, to Repine; neither of which I can by any means approve of; since whatever I cannot conscienciously do, I think my self obliged to suffer for, with as much joy, and with as little resistance, as if any other Act of Obedience were called for from me. *I may perhaps be too partial to my self, but certainly in general I may pronounce, that whoever preserves this Temper, let his Judgment be what it will, in reference to* Ceremonies, *yet he cannot be supposed incompatible with wayes of Publick safety: since he that quietly suffers the Penalty of any Law, I mean, where it is a Law meerly of outward Order, doth as really fulfil the intent of it, as he that actually performs all its Injunctions; for such kind of Obedience doth argue a more than ordinary degree of Love, and that, in the Apostles sense,* is the fulfilling of the Law. *And without speaking any thing in my own Commendation, my silence under my* Illegal exclusion *from my place in* Christs-Church, *and my late voluntary forsaking a Living I was possessed of, that I might prevent any possibility of seeming to disobey Publick Authority, do sufficiently proclaim the peaceableness of my Temper.*]

R. L'S. Decl. Eccles. *Aff.* Pag. 14.

[*E*] WHereas Mr. *Bagshaw* affirms, that *there was no fear of Imposing when he wrote against it:* I say, that at That time, his Majesty had already declared an *Uniformity Necessary*; he had *Proposed*, *Promised*, and *Resolv'd* upon it.

Whereas (in his *Preface* to the *Great Question.*) he pretends only *to make use of his Majesties Indulgence*; I say, that in the *same Discourse*, he does *Notoriously*, and *Seditiously*, *abuse it:* which shall be Cleer'd, when we come to compare the Liberties he takes, with his Sacred Majesties Concessions: where we shall prove likewise, that Mr. *Bagshaws Opinions are utterly Incompatible with wayes of Publique Safety.*

Touching

Touching *his Illegal Exclusion from* Christ-Church, which in the Preface to his *Necessity and Use of Heresies*, he tells us was *for no Reason at all, that he knew of, unless for the Impartial, and unbyassed Discovery of his Judgement about Indifferent or rather Doubtful things in Religious Worship*; Observe his *Ingenuity*. He writes *Student of Christ-Church*, and yet confesses himself *thrown out of the College*: But *he knows not Why*, (he sayes), *unless for his Judgment about Indifferent things*. Whereas he *does* know *Why*; and that he was Outed according to the *usual custom*, having a *Benefice* of a value *too great* to consist with his *Student's place*; and the customary indulgence of a *year of grace* was granted him, and expired long before his Ejectment. There were in Truth Other Ungratious, and sufficient Provocations to his Exclusion, but the Inconsistence of his *Student's place* with his *Living*, was the *Main*. Two Mistakes.

This *Edward Bagshaw* has a Brother indeed, who at This present is a *Student of Christ-Church*; and by Report, an *Ingenious, Loyal*, and *Deserving Person*. I speak This, to the End that the Reader may Distinguish the *Sheep* from the *Goat*.

My Adversary has now perfected his *Defence*, and proved himself (as he would persuade the world) a *Dutyful Son* of the *Church*, and a *Loyal Subject* to his *Majesty*. I am still of opinion, that he is a great *Enemy* to Both; that his *Condemnation* is written with his *own hand*, and that Mr. *Bagshaw* pronounces Sentence upon *Himself*.

In his *Second Part of Things Indifferent*, &c. *Pag.* 20. he does acknowledg that *his Majesties Pious, and Unequalled* Declaration, *hath already indulged as much Liberty, as any Sober-minded Christian can pretend to*: So that if He takes more Liberty then That Declaration Indulges him, he is by his own Confession, *no Sober-minded Christian*. Memorandum.

The Kings Decl. Eccl. Aff. *Pag.* 14.

We are very glad to find, (says his Majesty) that all with whom we have conferred, do in their Judgement approve a Liturgy, or Set-form of Publique Worship to be Lawful; which in Our Judgment, for the preservation of Unity, and Uniformity, we conceive to be very Necessary.] Now hear Mr. *Bagshaw* in opposition to This.

E. B. Great Question, Pa. 2.

Bowing at the Name of Jesus, the Crosse in Baptism, Pictures in Churches, Surplices in Preaching, Kneeling at the Sacrament, Set-forms of Prayer, and the like, ---- I hold it utterly unlawful for any Christian Magistrate to impose the use of them.

The *King*, *Ibid. Pag.* 15,

Every National Church, with the Approbation and Consent of the Soveraign Power, may, and hath always, introduced such particular Ceremonies, as in That conjuncture of time are thought most proper for edification, and the necessary improvement of Piety and Devotion in the People, though the necessary practice thereof cannot be deduced from Scripture.

Ibid.

That which before was, and in it self is indifferent, ceases to be Indifferent, after it is once established by Law.

Ibid. Pag. 17.

For the use of the Surplice, We are contented that all men be left to their Liberty, &c. Provided, that This Liberty do not extend to Our own Chappel, Cathedral, or Collegiate Churches, or to any College in either of Our Universities, &c.

We see here his Majesties *Opinion* of the *Use* and *End* of *Ceremonies*. The *Power* of *Imposing* them: That *Indifferent Things when Established by a Law, Cease to be Indifferent*. We find likewise *the use of the Surplice positively Enjoyn'd* by his Majesty in his own Chappel, &c. Observe now with what Reverence Mr. *Bagshaw* treats the King, in point of *Judgment*, *Authority*, and *Practice*.

E. B. Great Question, Pa. 5.

When once Humane Inventions become Impositions, and lay a Necessity *upon that, which God hath left* Free; *then*

may we lawfully reject them, as Plants of Mans setting and not of Gods owning. Is not This a flat *Contradiction* upon his *Majesty*; and a *Seditious* Doctrine to the *People*?

So long as a thing is left Indifferent, *though there be some suspition of* Superstition *in it, we may lawfully practise it, as* Paul *did* Circumcision; *but when any shall take upon them to make it* Necessary, *then the thing so imposed presently loses not its* Liberty *only, but likewise its* Lawfulness; *and we may not, without Breach of the Apostles Precept, submit unto it: because we thereby do own; that those whose Injunctions we obey, had a Power to Impose; and so by assenting, we become Aetters and promoters of their* Usurpation.] Here he makes the *King* an *Usurper*, and Preaches *Damnation* upon *Obedience*. Ibid. Pag. 9.

The smaller the thing imposed is, the more is our Christian Liberty *invaded, and consequently the more injurious and sinful is its Imposition.* Ibid. Pag. 10.

The Ceremonies *in question, are by many thought to be as contrary to the* Law of God, *as they had reason to think the* Covenant *was to the* Law of the Land. E. B. Pref. to the Second Part of the Great Question.

The Magistrate hath no power to impose things doubtful and disputable upon the practise of any in the Service of God; and therefore it cannot be lawful for any, to obey him; when he so imposes. Part. 2. Pag. 3.

God has not committed unto Christian Magistrates, but unto his Son, the Government of his Church, and that in the Outward Polity, *as well as in the* Inward Purity *of it.* Ibid. Pag. 8.

God is sole Lord of the Conscience, and his Honour is Then given to another, when by submitting to them [Magistrates] *we seem in Part at least, to acknowledge that they have Power to Impose.* Ibid.

That the Magistrate either hath power to prescribe Religious Rites, or, that if he doth prescribe, we ought to submit to him, neither That, [Rom. 13.] *nor any other Text of Scripture doth evince.* Ibid. Pag. 12.

When a Ceremony comes to be urged and pressed, beyond the bounds of things Indifferent, here though no Doctrine be mentioned, Ibid. Pag. 17.

tioned; yet there is a Doctrine couched under it, and that is this which I have been all this while speaking against, That the Magistrate hath power to impose in Religious Worship. *So that when things doubtful come upon that score to be obtruded, we must resolutely refuse to do them, lest we should seem to own and assent unto the* Doctrine.

Ibid. Pag. 20. *The Cloggs of Pretended* Decency, *but indeed Antichristian Tyranny.*

E. B. Necessity and Use of Heresies, Pag. 8. *Satan brought in* Superstition, Will-worship, *and* Idle Ceremonies, *under pretence of Christian* Decency, *and* Order.

E. B. Animad. upon the Bish. of *Worst.* Letter, Pag. 8. *We may Lawfully refuse to submit unto such Impositions as God hath no where commanded.*

E. B. Signes of the Times, Pag. 21. *This Precept against Idolatry is broken, not only when Images are erected, and Divine Honour given to them, but also when we have Inventions and devices of our own to adorn, as we think, but indeed to adulterate the Worship of God.*

Ibid. Pag. 22. *God does so much disdeyn to have his Worship squared by mens Models, that he will root up all such* Impious Pretenders, *who by giving way to their own Imaginations, do secretly tax the Goodness of God, as if he were not Holy and Wise enough in his own Appointments. For let men say and use what fine distinctions they please, it will at last be found, that all such self-devised Forms, though they are not so gross and palpable; yet have every whit as much of the Nature and Spirit of Idolatry in them, as the open Adoration of Images.*

What use Mr. *Bagshaw* has made here of the *King's Mercy*, let any flesh, that has but Common Sense, determine. Consider now the *Scope*, the *Limit*, and expres *Condition*, of his Sacred Majesties *Indulgence*.

Decl. Eccl. Aff. Pag. 15. & 16. **Our Present Consideration and work, is to gratifie the Private Consciences of those who are grieved with the use of some Ceremonies, by Indulging to, and Dispensing with, their Omitting those Ceremonies; not utterly**

tetly to abolish any which are Establish'd by Law; which would be unjust, and of ill example.]

In this Concession, his *Majesty* only suspends the *Strictness* of the Law, and Mr. *Bagshaw* peremptorily concludes against the *Equity*, and *Authority* of it. The *King* gives Mr. *Bagshaw* leave to *forbear* Ceremonies; and Mr. *Bagshaw* denyes the *King* leave to *Impose* them. The *End* of This Indulgence was for the *Relief*, and *Quiet* of *Tender Consciences*; and Mr. *Bagshaw* Imployes it to the *perplexing*, and *ensnaring* of them. In fine; his *Majesty* applyes This Dispensation, but to the *Omitting* of Ceremonies; and Mr. *Bagshaw* extends it to the *Damning*, and *Forbidding* of them. See now the *Condition* of his Majesties *Grace* and *Mercy* in This Declaration exhibited.

We hope, and Expect, that all men will hence-forward forbear to bent any such Doctrine in the Pulpit, or to endeabour to work in such maner upon the Affections of the People, as may dispose them to an ill opinion of Us, and the Government, and to disturbe the Peace of the Kingdom, &c.— Decl. Eccl. Aff. Pag. 19.

No man shall be Disquieted or call'd in question for Differences of Opinion in matters of Religion, which do not disturbe the Peace of the Kingdom, &c. *Ibid. Pag.* 5.

Does it not dispose the People *to think Ill of his Majesty, and Government*, for Mr. *Bagshaw* to deny his *Authority Royall?* (in denying the Magistrates *Power of Imposing*) To reproach him as an *Impious pretender*, and to presage that *he shall be rooted up*: To charge him with *Idolatry*, and *Usurpation?* &c. —— Can any *Opinions* be more hazzardous to the *Publique Peace*, then Those that dissolve the very *Order* and *Relation* of *Government*: teaching that the mere *Command* of a thing in it self *Lawful*, renders the *Magistrate Criminal*, and the *Obedience Sinfull*? If the *Publishing*, and *Inculcating* of These *Doctrines* be *not* Dangerous, I have no more to say: But

if it bee, I am to ſeek for Mr. *Bagſhaw*'s Intereſt in the King's *Declaration*; which yet, by his own Confeſſion, *has Indulged as much Liberty as any Sober-minded Chriſtian can pretend to.*

A little of his Kindneſs now to *the Order of Biſhops.*

Letter of Animadverſions, Pag. 2. Mr. *B.* calls the *Prelation* of Biſhops, *an Hydra*, and *(as ſome think) Antichriſtian Dignity.*

Ibid. Pag. 5. *A* Biſhop *is but* one Miniſter, *and ought not to ſilence his* Fellow-Miniſter: *If by* Arguments *he can, 'tis well, but not by* Authority.] That is; the Biſhop of *Worceſter* ought not to have *Silenc'd* the Biſhop of *Kidderminſter*. (Mr. *Baxter.*) *Would it not hold thus?* The *King* is but *one Man*, and ought not to *Impoſe* upon his *Fellow-man.* This we ſhall ſhew by and by to be his *Poſition*, as to the *Civil Government.* I perceive Mr. *B.* has but mean thoughts of *Prelates*, and *Ceremonies*; What's his Opinion of *Churches?* [*When the Publique Duties are ended, the Place is as Common (I mean as to any Special Holyneſs) as That Mount was when the Trumpet ceaſed from ſounding.*] He thinks to ſave himſelf now with his *Parentheſis*, but there's no *Comment* upon *his Oracles*, like his own Explication of himſelf.

E. B. Brief Treatiſe, *&c.* Pag. 23. Exod. 19. 13.

This Gentleman being *Catechiſt-Reader* in *Oxford*, reads his Lectures in the *Church* with his *Hat* on: and being *admoniſh'd* of it as a thing very *unuſual*, and *diſallow'd*, he reads his next Lecture *Uncovered*, and gives This Reaſon for what he had done before: That *he did not Idoliſe Fabriques, but thought himſelf free to uſe any Poſture in the Church which he might in his Chamber.* That is, the Poſture of a *Tumbler*, or a *Jack-Pudding*; for every man is Free to chuſe his Poſture. Were it not a Spectacle to move *Devotion*, to ſee a *full Congregation*, and every man making a *ſeveral Face*, in a *ſeveral Poſture*? Methinks That's a *ſtrange Religion*, that can better digeſt an *Antique* in the Church, then a *Ceremony*. But Mr. *Bagſhaw* is of ſo ſingu-

lar

lar a *Caprice*, that by Fits hee'll talk a little odly even of *God himself*. [*As we set Traps to catch Vermin, so God appoints Heresies to ensnare arrogant and self-presuming, or Vitious and Self-destiling men.*] E. B. Necessity and Use of Heresies, Pag. 8.

I suppose it sufficiently Prov'd that the *Church* of *England* has a sure Friend of *Edward Bagshaw Student of Christ-church*; We are now to see what he sayes to the *Civill Power*.

No man more satisfy'd with the Present Government, or that hath a more Loyal and Affectionate esteem for his Majesties Person and Prudence.] And in his Animadversions, [*A Passionate Lover both of the Kings Person and Government.*] In his late Letter to my Lord Chancellour he professes to have [*not only a Loyal, but a most Affectionate esteem for his Majesties Person and Government.*] Nay, [*so Innocently has he behav'd himself during our late Confusions, that he has not done any one Publique Action, which is not Capable of a fair and equitable Plea.*] Pref. to the Great Quest. Pag. 2. Pag. 3. Ibid.

If Mr. *Bagshaw* can do as he sayes, let him shew *a fair and equitable Plea* for Affirming, that there is no *Monarchy* but what is *Unchristian*: That *the Universality of the People may depose the Prince*; and for stating the *Supreme Authority* of *England* to be in the *People*. All which is done in his *Dissertatio Politica De Monarchiâ Absolutâ*; Printed in 1659. and Apply'd to the *Republican Junto*, as a Hint for a *Common-wealth*, when all Honest men were endeavouring the Recovery of the *King*. Mr. Bagshawes Loyalty.

Monarchia Absoluta est Christiano Illicita, (sayes he) An *Absolute Monarchy* is not a Government for Christians; and for a *Mixt Monarchy*, he sayes, that there never either *was*, or *can* be any such thing, [*nec fuisse unquam, aut esse posse*] by which *Dilemma*, his Sacred Majesty is render'd either *no King*, or *no Christian*. Now for a Pretty Position. *De Mon. Abs.* Pag. 6. Ibid. Pag. 16.

Concenda

Ibid. P. 6. & 7. *Coercenda eſt omnis Impotens Dominatio, quod in Imagine Dei* Infimus *quiſque non minus ac ipſe* Princeps, *ſit Creatus, & eaſdem ſecum in Pectore geſtet Divinitatis Notas.*] *i. e.* ☞ 'All Unruly, and Domineering Power ought to be Curb'd; 'for the *Beggar* bears the Image of *God*, as well as the *Prince*. Mr. *Bagſhaw* ſhould be Inſtructed to diſtinguiſh betwixt a *Divine Impreſſion*, Common (without Diſtinction) to Reaſonable Nature; and the Particular Diſpenſations of *Providence* in the *Order* and *Regiment* of *Humane Societies*. Mr. *Bagſhaw* may pretend to be made after *God's Image*, but I can hardly take him for *God's Vicegerent*; and here's the Difference betwixt *Infimus* and *Princeps*. In another place.

Ibid. Pag 9. *Qui Poteſtate ſummâ præditi ſunt, impios pœnis coercere, & Bonos Præmiis afficere debent: quod niſi præſtent, non amplius Dei Miniſtri ſunt ſed ſui; nec digni retinere diutius iſtud Imperium, quod tam male adminiſtrant. Detrahere autem* univerſis Minor. *Indigno Magiſtratum etſi Privati non debeant, Populus tamen univerſus quin poſſit, nemo, opinor, dubitabit; cum Privati quidem ſolius Publici cauſa lege teneantur, at populo univerſo nulla lex eſt ſuâ Salute & Commodo potior.*] 'When Kings 'neglect Reward and Puniſhment, They are no longer 'Gods Miniſters, but ſerve themſelves; and deſerve to 'loſe that Power which they Menage ſo ill, yet is it not 'for Private Perſons to Depoſe a Wicked Governour, 'But that the Univerſality of the People may lawfully 'do it, I think no body queſtions. Private Men being 'only ſubjected to Laws for the Publique Good, which 'Publique Good is it ſelf the Supreme Law. Again,

Ibid. Pag. 14. *Monarchia Mixta nihil eſt aliud quàm aut Ariſtocratia aut Democratia Imperfecta; Illa enim ſive Senatus, ſive Populi Authoritas, quæ Monarchiam miſcet h. e. ita Temperat, ut fines ei & Terminos præſcribat, planè tollit Monarchiam, quæ niſi Abſoluta ſit, nulla eſt; & ea poteſtate prorſus inferior à qua Limites & Metam accipit.*] *i. e.* 'A Mixt Monarchy is 'nothing but an Imperfect Ariſtocracy, or Democracy, for 'That Authority either of the Senate or the People that 'compounds

'compounds the Monarchy, (that is) which ſo tempers it 'as to give it bounds, and limit it) utterly deſtroyes the 'Monarchy; which if it be not Abſolute is none at all, but 'Inferior to that Power which Terminates it. Once more;

Fixum Ratumq; habeatur, Populi ſemper eſſe debere. Summam Majeſtatem]. 'Let this ſtand for a Sacred, and 'everlaſting Truth, that the Supreme Power reſides in 'the People. If Mr. *Bagſhaw* can now produce *a fair and equitable Plea*, not only for Subjecting the *Order* of *Government* to the *inſolencies* of the *Rabble*, But for the audacious Attempt of Advancing a *Popular Tyranny*, upon the ruines of his *native Soveraign*; It concerns him to ſhew his Cunning. But it is much harder, to *Prove* a *Traytour* an *Honeſt man*, then to *report* an *Honeſt man for a Traytour*. *Ibid.*

Since the peruſal of Mr. *Bagſhaw*'s Pamphlets concerning *Monarchy*, and *Things Indifferent*, I begin to have a little Charity for his *Libel* againſt the Biſhop of *Worceſter*: wherein he does but endeavour to mainteyn the Mainteyner of his own Principles, and effectually to *defend Himſelf*; for there is ſo ſtrict an Agreement betwixt Mr. *Baxter* in his *Political Theſes*, and Mr. *Bagſhaw* in his *Political Diſſertation*, (betwixt Them in fine upon a General Accompt) that it is a hard Matter to preſs the *Paſtour of Kidderminſter* and the *Student of Chriſt Church* not to ſuffer under the Weight of the *Argument*. In One Particular indeed, Mr. *Bagſhaw* ſeems to diſſent from Mr. *Baxter*, and allows the Biſhop to have the better of him. [*As to the Main Controverſie*, (ſayes he) *I think the* Biſhop *hath much the better of Mr.* Baxter: *For if the Queſtion between them, was as Dr.* Gunning, *and Dr.* Pearſon *do atteſt, ſuch a Command is ſo evidently lawful, that I ſhall much wonder if Mr.* Baxter *did ever diſpute it.*] Now ſee That which he calls *the Main Controverſie*, (though in truth it was not ſo.) Animad. Pa. 1.

Dr. *Gunning* and Dr. *Pearſon* brought this Propoſition to Mr. *Baxter:*

Biſhop of *Worſters* Letter, Pag. 36.

That Command which Commandeth an Act in it ſelf lawful, and no Other Act whereby any unjuſt penalty is injoyned, nor any Circumſtance whence directly, or per accidens, *any ſin is Conſequent, which the Commander ought to provide againſt; hath in it all things requiſite to the Lawfulneſs of a Command, and Particularly cannot be guilty of Commanding an Act,* per accidens, *unlawful, nor of Commanding an Act under an unjuſt penalty.*

This did Mr. *Baxter* deny, and for *This Reaſon*, given in with his own Hand in Writing.

Ibid.

Becauſe the firſt Act Commanded may be per accidens *unlawful, and be commanded by an unjuſt Penalty, though no other Act or Circumſtance commanded be ſuch.*

In This Point it ſeems the Brethren *differ*; obſerve now wherein they *Agree*; and let ſome better Caſuiſt then my ſelf determine, *Who has the more to Anſwer for, The Execrable Headſman of the Late King, or the Aſſertor of Theſe following Poſitions?*

Mr. *Richard Baxter's*, and Mr. *Edward Bagſhaw's*, Political Reſolutions.

Deſtructive of all Kings.

I. *IF a Prince want ſuch* Underſtanding, Goodneſs, *or* Power, *as the* People *judge Neceſſary to the* Ends *of* Government; *in the firſt Caſe, he is Capable of the* Name, *but not of the* Government; *in the* Second, *he* Depoſes himſelf: *in the* Third, *the want of* Power depoſes *him.* (*Theſes* 135, 136, 137.)

II. *If*

II. *If a* Prince *in a* Military *State against his* People, *be by them* Conquer'd; *they are not Obliged to Restore him, without some other Obligation then their Allegeance.* (Thes. 145.)

The Case of the late King when he was Bought and Sold in 1646.

III. *If a* Prince *be* injuriously Expell'd, *by what-Power-soever, that Resolves to* Ruine *the* Common-wealth, *rather then he shall be* Restor'd; *and if the* Common-wealth *may prosper without his* Restoring, *That* Prince *is bound to* resign *his Government*; *or if he* Refuses, *the* People *are to judge him* Incapable *by* Providence. (Thes. 147.)

The case of the King and the Commons in 1650.

IV. *If a* Prince *be so long* Out, *that the* Nation *cannot well stand without* another: Providence *has* disposses'd *the* former, *and we are to make a* new Choyce. (Thes. 149.)

Oliver Chosen by *Providence.*

V. *If a* Prince *be thrown out by a* Rebellion; *the* strongest Rebel *may* (ex Charitate) *undertake the* Government. (Thes. 150.)

Olivers taking the Government upon him was a deed of Charity.

VI. *Any thing that is a sufficient sign of* the will of God, *that this is the Person, by whom we must be Governed*; *is enough (as joyned to Gods Laws) to* oblige *us to* consent, *and* obey *him as our* Governour. (Thes. 153.)

Oliver by the *Will* of God.

VII. And yet *All the People have not this right of* Chusing *their Governours, but commonly* a part *of every Nation must be* compelled *to consent.* (Thes. 159.)

The *Cavaliers* compell'd to consent, and the *Brethren* to chuse.

VIII. *Those that are* known Enemies *to the* Common good *in the chiefest parts of it, are unmeet to* Govern, *or* choose Governours: (else give us up to our Enemies, or to Satan:) *But such are multitudes of ungodly vicious men.*]

For fear of the King and his Friends.

Presbyterian Absolution.

IX. *If a* People *bound by* Oath *shall* dispossess *their* Prince, *and* Chuse, *and* Covenant *with* another; *they may be* Obliged *by the* Latter, *notwithstanding their* former *Covenant.*

The King can do no wrong with a *Salvo.*

X. *Though a* Nation *wrong their King, and so* quoad Meritum Causæ, *they are on the* worser *side, yet may he not Lawfully war against the* Publick good, *on that accompt*; *nor any help him in such a war: because* propter finem, *he hath the worser Cause.* (Thes. 352.)

Take now the Opinion of these Doctors, concerning the *English Government.*

The King of *England* no Monarch.

I. THe *real* Sovereignty *here amongst us, was in* King, Lords, *and* Commons. *(Pag. 72.)*

The King has the *Militia* if the People please.

II. *The* Law *that saith the* King *shall have the* Militia, *supposeth it to be against* Enemies, *and not against the* Common-wealth, *nor them that have* part *of the* Sovereignty *with him. To resist* him here, *is not to resist* Power, *but* Usurpation, *and* private will; *in such a case, the* Parliament *is no more to be resisted then* He. (Thes. 363.)

The *People* judges of the *King.*

III. *If the* King *raise Warr against such a* Parliament *upon their* Declaration *of the* Dangers *of the* Common-wealth, *the* People *are to take it as raised against the* Common-wealth. (Thes. 358.)

And may depose or resist *him* at pleasure.

IV. *And in that Case* (saith he) *the* King *may not only be* resisted, *but* ceaseth *to be a* King, *and entreth into a State of* Warr *with the* People. (Thes. 368.)

Of These *Blasphemous*, and *Seditious Maxims*, (though Charg'd upon Mr. *Baxter* by the Bishop of *Worcester*) the *Libeller* takes no notice, otherwise then by a *Tacit Allowance* of them; his *Agreement* with Mr. *Baxter* in These Particu-

Particulars being ſufficiently intimated in his expreſs *Acknowledgment* wherein he *diſſents*. Nor in Summe, are they any other then *the pure reſult of his own Opinions*, only Digeſted into a more *Popular*, and *Intelligible Methode*. What *Judgements* may not That Nation expect from *Divine vengeance*, where This Spirit of *Treachery* and *Impoſture* reigns in the *Pulpit*? Or if *This* be *Loyalty*, what is it which the *Law* calls *Treaſon*?

If Mr. *Bagſhaw* had been very *wiſe*, he would have forborn the *Juſtification* of ſo great a Guilt, as under his own Hand appears againſt him (and indeed his fate is hard, that his Teſtimony which goes for nothing againſt *any man elſe* ſhould yet ſtand good againſt *himſelf*) He had been *wiſer yet*, if he had totally declined the Controverſie, and ſpent Thoſe Hours in *Gratitude*, and *Repentance*, which he has rather choſen to Employ in *Obſtinacy*, and further *Diſobedience*. But to caſt himſelf at once, out of all Terms both of *Chriſtianity*, and *Humanity*; neither to Regard his Duty to *God*, his *Neighbour*, or *Himſelf*: To laſh out beyond all bounds of *Piety*, *Loyalty*, *Modeſty*, *Truth*, and *Prudence*: (even to the forfeiture of his own *ſafety*) This is a Prodigious *heap* of Miſcarriages, and yet no more then the Juſt *Meaſure* of his *Confidence*, *Folly*, and *Wickedneſs*. To dip into the *Immoralities* of his *Life*, were to ſtir a *Puddle*; and in Truth, rather to Gratifie my *Revenge*, then my *Duty*: ſo that I ſhall rather adhære to my Purpoſe of Diſcovering a *Publique Enemy*, then exerciſe the Sting of a *Private Paſſion*.

Thoſe Pamphlets of his which in this Diſcourſe I have made uſe of againſt him are Thus Dated [*De Mon. Aſ.* 1659.] [*The Great Queſtion*, 1660.] (After the Act of Indempnity) [*Pars* 2a. *of the Great Queſt. Sept.* 10. 1661.] [*Pars* 3a. *Of Hereſies Jan.* 10. 1661.] [*Brief Treatiſe*, &c. *Feb.* 15. 1661.] [*Two Libels* againſt the *Biſhop* of *Worceſter*, *Jan.* 21. & *Feb.* 26. 166$\frac{1}{2}$.] [*Signs of the Times*, *Jan.* 28. 166$\frac{1}{2}$.] [*Letter to The Lord Chancellour*, *May*, 10. 1662.]

Only the *Firſt* of Theſe can, in the very poynt of

Time, pretend to any favour from the Act of *Pardon*; but That will not much avail Mr. *Bagshaw*, who by *Justifying Now*, what he *Did Then*, does it *over again*, and stands accomptable for the same Fault upon another Score.

But methinks the Case is not here, whether *This Pamphlet*, but whether or no the very *Author* of it be *Pardon'd*? and This Question (if any there be) arises from the very Letter both of his Majesties *Declaration from Breda*; and of the *Act it self*.

Decl. from *Breda*.

His Majesty, in his Declaration from *Breda*, **Grants a Free and General Pardon to all that shall lay hold upon that Grace and Favour, and by any Publique Act Declare their doing so, and Return to the** Loyalty, and Obedience of Good Subjects: (*Exceptis Excipiendis*). Which *Loyalty* is to be *Manifested*, *by* **not Persevering in Guilt for the Future, and by not Opposing the quiet, and happiness of their Country, in the Restoration both of King, Peers, and People, to their Just, Antient, and Fundamental Rights**: Here's the *Promise* and *Condition* of the Pardon: *Persuant* to which *Promise*, and *Correspondent* to which *Condition*, the following Pardon is said expresly to be *Enacted*, i. e.

Act of Pardon.

[In Performance of his Royal and Gracious Word signified by His Letters to the Federal Houses of Parliament now Assembled, and His Declarations in that behalf Published.]

Now the Question is, first, *Whether Those that* **Persevere in their Guilt**, *and* **oppose** *the Restoration of the King to any of his* **Just, Antient,** *and* **Fundamental Rights** are not by This *Limiting Condition excepted* from *Pardon*? And the next Question is,

Whether His Majesties Supreme Authority in Causes Ecclesiastical, be not One of His **Just, Antient,** *and* **Fundamental** *Rights*? If so: *Whoever Persists to oppose the Prerogative Royal in This Particular, has no Right or Title to the Intent or Benefit of the Act of Indempnity.*

The Extent of his Majesties Power as to the matter in Question, may be seen in King *James* his *Ratification* of The

Canons

Canons and *Constitutions Ecclesiastical*, in 1603. Annexed to the Book of Canons.

We do not only by our Prerogative Royal, and Supreme Authority in causes Ecclesiastical, ratifie, confirm, and establish by These our Letters Patents, the said Canons, Orders, Ordinances, and Constitutions, and all, and every thing in Them contained, as aforesaid; but do likewise propound, Publish, and straightly enjoyn, and Command by our Authority, and by These our Letters Patents, the same to be diligently observed, executed, and equally kept, by all our loving Subjects of This our Kingdom, &c. ----- Straightly Charging, and Commanding all Arch-Bishops, Bishops, and all other that exercise any Ecclesiastical Jurisdiction within This Realm, every man in his place to see and procure (so much as in them lieth) all and every of the said Canons, Orders, Ordinances, and Constitutions to be in all Poynts duly observed, not sparing to execute the Penalties in them severally mentioned, upon any that shall wittingly or wilfully break, or neglect to observe the same, as they Tender the Honour of God, the Peace of the Church, Tranquillity of the Kingdom, and their Duties, and Services to Us *their* KING *and* Soveraign.

If the *King's Authority* in *Church-Matters* reaches *Thus far:* And if His *such Authority* be a **Just, Antient,** and **Fundamental** *Right*. And finally, if a **perseverance in Guilt** and the **Oppofal of the Restoration** *of His Majesty to* **His Just, Antient,** *and* **Fundamental** *Rights*, be a *Delinquency*, which is *in Terminis* Excepted. And that the *express Condition* be, [**a Return to the Loyalty and Obedience of Good Subjects.**] In what a Case is Mr. *Bagshaw*, who has *Constantly* and *Openly* defi'd the very *Letter*, *Intent*, and *Equity* of that *Gratious, and Incomparable Act of Mercy?* As is already made appear from his own Writings.

Nor is it Mr. *Bagshaw's* Case alone, but *every mans*, who either by *Word*, or *Deed*, *Publiquely and obstinately opposing the Ceremonies of the Church of* England, *denyes his Majesties* **Just, Antient,** *and* **Fundamental Right** *of Imposing*.

I speak

I ſpeak This with *Reverence*, and *Submiſſion* to the better-Enform'd; and to Correct Thoſe Slanderous Tongues, that have the Confidence to Tax his *Juſt*, and *Gracious Majeſty*, for being *leſs then his word*, when *They Themſelves* by a *Perſevering*, and *Incorrigible Contumacy*, and *Diſobedience*, *Rejecting* the *Conditions* of the Kings Pardon, can lay *no Claim* to the *Benefit* of it.

Having Thus far *unmaſqu'd* my *Adverſary*, I am now to *Defend my ſelf*, and to Prove, that I am *not* that wretched Thing which I have prov'd him to *be*: and ſo I proceed from his *Defence*, to his *Libel*, That being the Diviſion of his Pamphlet.

E. B. Pag. 6. Memento Pag. 6.

[1.] *But my Lord, ſhould I ever have ſo far ſtept out of the bounds of my Calling, as to write a Publick* Memento *(which in the very name of it contradicts the Act of* Oblivion.*) &c.*

R. L'S.

[1.] A *Publique Memento*, though from a *Private* perſon, is both *Lawful*, *Conſcientious*, and *requiſite*, where the *Honour*, and *Safety* of the *King* are the Queſtion: And That I take to be the Caſe, where his Majeſties bleſſed *Father* is ill ſpoken of, his *Regal Authority* queſtion'd, his *Government* Reproach'd, and the *Reſolutions* of this preſent Parliament, *Deſpis'd*, and *Trampled* upon. This ſhall I prove to be the Common Subject of the *Preſs*, and by the very *Letter* of the *Oath* of *Allegiance*, I am ty'd to *Diſcover* it: So that my Crime is but the keeping of my *Oath*; and the Performance of my *Duty*, in the Vindication of the *King* and his *Government*.

Exact. Coll. Pag. 173.

It was the Compleynt of King *Charles* the Martyr, [*That the minds of many of our weak Subjects have been, and ſtill are poyſoned by ſcandalous ſeditious Pamphlets and Printed Papers, and that ſo general a terrour hath poſſeſſed the minds and hearts of all men, that whiles the Preſſes ſwarm (and every day produceth new Tracts againſt the Eſtabliſhed Government of the Church and State) moſt men want the Courage or the Conſcience to write, or the opportunity and encourage-*

ment

ment to publish such composed sober Animadversions, as might either preserve the minds of Our Good Subjects from such Infection, or restore and recover them when they are so infected.] Here's my *Warrant*, and my *Justification*.

[3.] *Should I have so much aspersed the present Government, as to say,* That Defamers of the Government, if Presbyterians, scape better than their Accusers, &c. E. B. Pag. 6.

[2.] Observe here, upon what Occasion This was spoken. Under the Head of *The Tokens and Prognostiques of Seditions* [*Memento* Cap. 2.] I quote Sir *Francis Bacon* who (in his *Essay* of *Seditions*, and *Troubles*) reckons *Libels*, and *Licentious Discourses against the Government, when they are Frequent, and Open, amongst the Signes of Troubles.* In agreement with That Judicious Person, and without any Particular Instance, I take notice *that* Libels *were not only the* Forerunners, *but (in a high degree) the* Causes *of our Late* Confusions. And a little Lower; that *the* Press *is now as* Busie, *and as* Bold; Sermons *as* Factious; Pamphlets *as* Seditious; *the* Government Defam'd, *and the* Defamers *of it (if* Presbyterians) *scape better then their* Accusers. R. L'S. Memento, pag. 5. Ibid. pag. 6.

Is it now become an *Aspersion* upon the Government, to *lay open* and *complain* of Those that *Asperse* it? Or am I mistaken in believing him to be a *Defamer* of the *Government*, that Charges *This King* with *Usurpation*; his *Father* with *Tyranny*: and that reports the *Rites*, and *Orders* of the *Church*, for the *Institutions* of the *Devill*? If I *Prove* what I *say*; and make appear that *Defamers of the Government* (if Presbyterians) do scape better then their *Accusers*, I am clear of *Edward Bagshaw's* second Exception; If I fail, let the Infamy lie at my Dore. He Charges me Next, for saying:

E. B. Pag. 6. [3.] *That* Promoters and Juſtifiers of the murder of the late King, are ſtill continued publick Preachers, and can come off for Printing and publiſhing down-right Treaſon, when I have much ado to eſcape for telling it.

R. L'S. [3.] Let the Reader take along with him the *Connexion* of my Diſcourſe, whereupon he grounds This Cavil.

Memento, pag. 8. Sir *Francis Bacon* ſayes, that [*when Diſcords, and Quarrels, and Factions, are carryed openly and audaciouſly, it is a ſign the Reverence of Government is loſt.*

Ibid. *And are not Factions carryed Openly and Audaciouſly now?* (ſayes *L'Eſtrange*) when the Promoters, and Juſtifiers of the Murther of the late King, are ſtill continued publique Preachers, *without the leaſt Pretence to a Retraction? Dictating ſtill, by Geſtures, Shrugs, and Signs, That Treaſon to their Auditory which they dare not utter? What are their Sermons, but Declamations againſt Biſhops: Their Covenant-keeping Exhortations, but the Contempt of an eſtabliſh'd Law? How it comes to paſſe, Heaven knows; but theſe Honeſt Fellows* can come off for Printing, and Publiſhing down-right Treaſon, when I have much ado to ſcape for Telling of it.

If I am now able to make it out, that *ſuch Preachers* there are, and ſuch *Printers*, and *Publiſhers*, as are here ſpoken of; I do no more in *Diſcovering* them, then I have *ſworn* to do.

For the *Printers*, and *Publiſhers*, I have allotted Them a place by Themſelves; and concerning the *Preachers*, I ſhall only Inſtance in Mr. *George Cokayn*, of *Pancras Soper Lane*, and Mr. *William Jenkin* of *Chriſt-Church*, *London*. The former whereof *Promoted and preſſed the Murther of the late King*, in a Sermon before the Commons, *Novemb.* 29. 1648. and *the Other*, *Juſtified That Murther*, and applauded it in another Sermon before the Commons, *Sept.* 24. 1656. as follows.

Think

Think not to save your selves by an unrighteous saving of them, who are the Lords and the Peoples known Enemies. You may not imagine to obtain the favour of those, against whom you will not do Justice; for certainly, if ye act not like Gods in this particular, against men truly obnoxious to Justice, they will be like Devils against you. Observe that place, 1 King. 22. 31. *compared with* chap. 20. *It is said in* chap. 20. *that the King of* Syria *came against* Israel, *and by the mighty power of God, he and his Army were overthrown, and* the King was taken Prisoner. *Now the mind of God was (which he then discovered, only by that present providence) that* Justice should have been executed upon him, but it was not, *whereupon the Prophet comes with Ashes upon his face, and* waited for the King of Israel in the way where he should return; and as the King passed by, he cryed unto him, Thus saith the Lord, Because thou hast let go a man whom I appointed for destruction, therefore thy life shall go for his life. *Now see how the King of* Syria, *after this, answers* Ahab's *love: About three years after,* Israel *and* Syria *engage in a new War, and the King of* Syria *gives command unto his Souldiers, that they should fight neither against small nor great, but against the King of* Israel. Benhadad's *life was once in* Ahab's *hand, and he ventured Gods displeasure to let him go: but see how* Benhadad *rewards him for it,* Fight neither against small nor great, but against the King of Israel.

George Cokain Flesh expiring, and the Spirit Inspiring, pag. 26. & 27. Printed for Giles Calvert.

Vers. 42. of Chap. 20.

Chap. 22. 31.

Honourable and Worthy, if God do not lead you to do Justice upon those that have been the great Actors in shedding innocent Blood, never think to gain their love by sparing of them; for they will, if opportunity be ever offered, return again upon you; and then they will not fight against the poor and mean ones, but against those that have been the Fountain of that Authority and Power which hath been improved against them.

The Application.

William Jenkins The Policy of Princes, p. 33. Printed for Samuel Gellibrand.

Worthy Patriots, *you that are our* Rulers *in this Parliament*, 'tis often ſaid, we live in Times wherein we may be as good as we pleaſe: *wherein we enjoy in purity and plenty the Ordinances of Jeſus Chriſt. Praiſed be God for this, even That God who hath delivered us from the impoſition of Prelatical Innovations, Altar-genuflections and Cringings, with Croſſings,* and all that Popiſh traſh and trumpery. *And truly (I ſpeak no more then what I have often thought and ſaid) The removal of thoſe inſupportable burdens, countervails for the Blood and Treaſure ſhed and ſpent in theſe late diſtractions. Nor did I as yet ever hear of any godly men that deſired, were it poſſible, to purchaſe their friends or money again, at ſo dear a rate, as with the return of theſe, to have thoſe ſoul-burdening, Antichriſtian-yokes re-impoſed upon us: And if any ſuch there be, I am ſure that deſire is no part of their godlineſs, and I* profeſs *my ſelf in that to be none of the number.*

A taſt of the Reforming Spirit.

The Kings Murther juſtified by a Profeſſour.

Mr. *Bagſhaw* Taxes me, in the Fourth place, for ſaying that *great Dangers are ſtill remaining*, &c.

E. B. Pag. 6.

[4.] *Should I have ſaid, That* great dangers are ſtill remaining, in not preferring the Kings Friends, (*as if his Majeſty would prefer any, but thoſe that were of unſuſpected Loyalty*) *ſhould I have added further, that* the danger is great, and number alſo, of ill-choſen Juſtices: *All which paſſages directly tend not only to defame the Government, but to render it ridiculous, as if it were not politique enough to preſerve it ſelf*, &c.

R. L'S.

[4.] I do not pretend, to hint any *Danger*, becauſe the *Kings Friends* are *not* Preferr'd; but becauſe divers of his Perſevering, and Irreclaimable *Enemies are*: and This I conceive may be ſpoken without Offence either to *Loyalty*, or *Good-manners*. Are none preferr'd, but by his Majeſties *Special Nomination* and *Appointment*? Or are none but Perſons of *unſuſpected Loyalty* Preferr'd? *How comes* Edward Bagſhaw *to be Preferr'd then?* (a *Libeller* againſt *Prelacy*, and *Church-Rites*; and a *Denyer of the Kings Authority.*)

Touching

Touching *the Danger, and Number, of Ill-chosen Justices*; I do not speak of what People *have been*, but of what they *Are*; and if the *Number* of such be *Great*, I think no-body doubts of the *Danger*. Is it not well, when men may be Bayl'd for *Threatning another Change*, and hinting that *This King will not stand long*; when the Person that gives Notice of this is forc'd to fly his Countrey for't? It is not long since a Compleint of This Quality was brought to his Majesties Chief Secretary; and, in Truth, there are but too many Instances of This Nature.

But Mr. *Bagshaw* (I perceive) is of opinion, that the *King* had better be *Destroy'd* by *not knowing* These Indignities, then that the *Government* (in his Learned sense) should be *Defam'd* by *Discovering* them. *Cæsar was Murther'd in the Senate*; and his *Murtherers* were (in our Adversaries Phrase) of *Unsuspected Loyalty*. Had any man made *Cæsar Ridiculous*, that had *averted* him of the *Conspiracy*? In short: *Reason of State* belongs to *Ministers of State*; but *Information* in matter of *Fact*, (where the Publique is Concern'd) is *every Private* mans *Duty*, and every *Honest* mans *Business*.

[5.] *Should I, after I had in some former Pamphlet expresly Libelled your Lordship, afterwards by making some dull Aphorisms about a* Favourite, *labour to abuse you to your face; I should then think I had done enough to deserve, not only the Name, but likewise the Punishment that is due to one that is factious and Turbulent.* E. B. Pag. 6.

[5.] To make short work, I think the *Libeller* deserves the *Pillory*, and I'm Content to stand the Issue, whether it shall be *Bagshaws Fate*, or *Mine*. Why does he not *Name* that same *Former Pamphlet*; and shew my Lord what 'tis he calls a *Libell*? I shall not make half the Ceremony with Him, but immediately prove This same *half-witted Levite* to be the very Thing he would have *Me* Thought to bee. R. L'S.

In the Ninth Chapter of my *Memento*, concerning *Seditions*; and shewing in what manner they arise from These *Memento*, p. 85.

Seven Interests. The *Church*; the *Bench*; the *Court*; the *Camp*; the *City*; the *Country*; and the *Body-Representative*: Treating of the *Court*, I make use of a Judgment of Sir *Francis Bacon's* in his Essay of *Counsel*, which is, that a Prince may be endangered in his *Counsel*; *either by an Over-greatness in One Counsellour*; *or an over-strict Combination in Diverse.*

Ibid. Pag. 100.

According to the Quality, and *Requiry* of the Subject, under the Head of *Over-greatness in One Counsellour*, is handled the Humour and Working of a Vitious Favourite: If *Scrupulous*, he goes to work *Thus*; if *Ambitious*, *Popular*, *Fawning*, *Covetous*, &c. *So* or *so*: And This does Mr. *Bagshaw's Scurrilous Reverence*, call *an Abuse of the Lord Chancellour*: fawcily imposing upon *my Naked*, and *Political Discourses*, *his own Libellous*, and *Personal Application.*

Pag. 103, 104, & 105.

Why does he not charge me with *Flattery* too, for asking *what can be more Desirable, then for a* Prince *to have a Watchful*, *Wise*, *Faithful Counsellour*; *and the* People *a Firm*, *Prudent*, *Patriote*, *in the same Noble Person?* Why did he not as well make mee mean the *Bishops*, the *Judges*, The *General*, the *City-Magistrates*, the *Gentry*, and the *Commonalty*, in my Reflections upon the Other Six Interests? Truly upon the whole, if Mr. *Bagshaw* will agree to it, *let the Libeller* be *Gibbetted*. After diverse Rhetoricating Exclamations; *If He should have said Thus or so* (in his little Pedantique way.)

Pag. 188.

E. B. Pag. 6. & 7.

[G] *Yet, my Lord,* (says Mr. B.) *all this, and something worse is said in Print, by one Mr.* L'Estrange, *a Gentleman whom I never saw, but yet I have heard so much il of him, that I think my self obliged to thank him for his defamations of me; since by confessing himself, in the same Book, to be guilty of* Drunkenness & Prophaneness; *he hath said much more than I can knowingly charge him with, and I am sure more than enough to discredit his own Testimony. For he that is neither* Sober *to himself, nor* Religious *to God, cannot possibly be* Just *and* Civil *to men; and* Impiety *will easily lead him to* Forgery: *I shall not therefore seem to plead my own Concernment against him; since my*

Credit

Credit and Esteem with Good men is either very little, and then my solicitousness will but little promote it; or else it is secure, that it is already placed beyond the Reach of such Rude Assaults and Battery, and needs not my own Pen for its Defence and Vindication.

[G] TRuly I should be loth that Mr. *Bagsham's Friends* should speak *Well* of *Mee*, for I must *Do Ill* to *deserve* it, and *Purchase* their *Kindness* by *Betraying* my *Country*; so that *Their Ill-will* shall never break *My Heart*. But do they speak so *very Ill*, as to make Mr. *Bagsham Thank* me for *Defaming* him? In Truth, the Man is somewhat a *Preposterous Christian*; and it may be, 'tis his *Method*, to be *Thankful* to his *Enemies*, as well as *Ungrateful* to his *Friends*. Whoever doubts of the Latter, may be satisfi'd from Dr. *Pierce* his *Letter* to Dr. *Heylin*, at the end of his *Discoverer Discovered*. And I must *Add*, that in the point of *Reviling* his *Superiours*, and *Abusing* his *Friends*, his Life has been all of a Piece. *R. L'S.*

Touching My *Defamations* of him; Alas; save in my *Memento*, I never *Mention'd* him. Nor *There* Neither, but upon a fair and *Prudential Accompt*; for it concern'd me to procure, that the World might not take *Him* for an *Honest Man*, that had Reported *Mee* for a *Knave*. In fine, he talks, in *General*, of *Defamations*; but let him, if he dares, put me to prove the *Particulars*. See now in what follows, the *Confidence*, *Lewdness*, and *Weakness* of the Gentleman.

He says, that *I confess my self Guilty of Drunkenness* and *Prophaneness*, which *Discredits my Testimony*; *Impiety leading easily to Forgeries*. (The last 'tis possible he speaks upon Experience.) My Words are These:

I do here Publiquely confess my self not Absolutely Free from These Distempers, which (not to cast either upon Good Nature, or Complexion) I am both Sorry for, and asham'd of. *Memento* Pag. 41, 42.

If I have but *Once* drunk my self to a *Distemper*; or if I have *taken Gods Name in vain* but *Once* in my *Whole Life*, I may *confess* my self *not Absolutely Free*, and yet

not

not charge my self with *Drunkenness*, and *Prophaneness*; for (under favour of Mr. *Bagshaw's Philosophy*) *One Act* does not make a *Habit*; and I defie the World to Tax me with it, So That in This Particular, my Adversary has streyn'd a poynt of *Modesty*: His next slip is a *Lame one*.

All Men have their *Sins* to answer for; and without *Repentance, no flesh shall be saved*. I have here made a *Publique Confession*, and as Publiquely Declar'd a *Penitence*, and *Shame*, so far as I am *Guilty*. Now what can be a greater *Scandal* to *Religion*; or a greater *Affront* to *Christianity?* then for a *Profes'd Minister of the Gospel*, to turn the *Confession* of a *Penitent* into *Libells*: The most ☞ *Necessary Duties* of a *Christian* into *Reproches*; and to make *Repentance it self, shameful*, and *Ridiculous*. And This is the *Disingenuous* Dealing of Mr. *Bagshaw*, which if it were not menaged with a large Proportion of *Simplicity*, were indeed *Unpardonable*: he would not otherwise have argued, as if the *speaking of Truth* were *a Discredit to my Testimony*. I suppose it needless to desire the Readers Notice, that in his 7th *Page*, he resolves *not* to Defend himself; and *Page* 9. he sayes he *has* done it; (without saying any thing of Himself, *Between*).

E. B. *Pag.* 7. & 8.

[H] *But, My Lord, how careless soever I am of securing my own Fame, yet in zeal to the Publick Honour and Faith of our Nation, I must take leave to say this, that for any to dedicate a Book to your Lordship (who onely your place the great Conservator of our Laws) and in it presume to break that very Law, which His Majesty hath appeared to be most tender of, and that so openly, as to revive the mention of our War, under the Title of* Rebellion, *to call the* Lords *and* Commons *then assembled in Parliament, a Company of* Schismaticks *and* Rebels; *and with them, to asperse the whole City of* London, *who either never intentionally forfeited, or else have Nobly redeemed the mistake of their Loyalty: This, my Lord, is an insolence of so infectious a Nature, that, if your Lordship doth not suppress it, men who love their Honours above their Lives; will not think themselves fairly dealt with. For I must leave it to your Lordship to judge, how little security we may expect from any of our old Laws, and how little Obedience can justly be exacted unto*

the

the New ones; if, in the face of the world, and with your Lordshipe Privity, may under your Protection, our late Magna Charta *can be, in the very Terms and Design of it, so apparently violated.*

[H] IF Mr. *Bagshaw* were as *Zealous* for the *Honour of the Publique*, as he is *Careless* of securing his *own Fame*, This Nation would not afford a better *Subject*, or *Patriote*. ('Bate him but his *Mistakes*) He writes *my Lord Chancellour* [*The Great Conservatour of our Laws*] (by his *Place*) That's his *Errour*: For the *Chancellour* is *the Conservatour of the King's Conscience*; and the great *Moderatour* of the *Positive*, and *Literal Rigour* of the *Law*, according to the more Favourable Dictate of *Pious Equity*. This for his Instruction. R. L'S.

Betwixt *Zeal* and *Ignorance*, in a *Sawcy*, *Menacing* fashion, he does as good as tell my Lord, that *He had best do Justice upon L'Estrange*; for, if he does not, *there are men of Honour*, ----- and so forth. My *Crime* (it seems) is the *Dedication* of a *Book*, in *Contempt* of the Act of *Oblivion*. *I Call the Late Warr a Rebellion*, he sayes. 'Tis right, I do so; and the *Rebels Names* are *Excepted* in the *Act it self*. He will have it too, that *I call the Lords and Commons Assembled in Parliament, a Company of Schismaticks, and Rebels*. Herein, is Mr. *Bagshaw* (which is a Miracle) as good as his Profession; that is, exceeding *Careless of his Fame*; for I say no such thing. *Our LEGIONS of the* Reformation (say I) *were raised by CERTAIN* Rebellious Lords and Commons. That *SOME such* there were, the very *Act* Allows. In *Page* 250. I cannot find what he means, unless my calling of The *Covenant* a *Rebellious League*, and in *That Expression*, I suppose, *This Parliament will warrant me*. The Gentleman brands me next, for *Aspersing the whole City of* London. My Words are, that the Faction was [*Seconded* by the City of *London*] which Expression refers to a *Powerful*, and *Leading Party* in it, which was Then *Pack'd*, and *Tumultuary*. *Where was That Freedom, and Privilege* (says the late King) *when Alderman* Pennington, *and*

Memento. Pag. 65. & 250.

Mem. Pag. 65.

Exact. Collect. *Pag.* 557.

and Captain Ven *brought down their* Myrmidons, *&c.*] And where's the Crime now (say I) of Naming the *Kings Judges?*

E. B. Pag. 8.

[1] I *Know very well, that the Person who doth this, presumes much upon his former Loyalty; and would make his past Services compound for his present Frenzy; and truly, my Lord, I must confess, that had all the ill Language been vented by one of whose honesty there never had been any suspicion; had one defied the* Presbyterians (*as this Author is pleased to call all that are not of his, that is, that are of any Religion*) *whose* Life, *or at least whose* Loyalty *had been untainted; then the worthiness of the Person would very much have mitigated the infamy of his Slanders; but for* Shimei *to curse* Absalom; *for* Cromwel's *Spy to cry out* Treason; *for the* Protector's Earwigge, *to rayl upon the* Kings Enemies; *this is a thing so very indecent, and incongruous, that nothing but your Lordships condemning Mr.* L'Estrange *to his own* Whip, *or, because that is not smart enough, to the* Beadles, *will ever cure his Lask, or bring him within any tolerable compass of sobriety.*

R. L'S. [1] BLess me, how it works upward and downward with him! *Phrensie*] ---- *Cromwell's Spy, the Protectours Ear-wigg*] ---- *Condemn him to the Beadles to cure his Lask.*] These are the Flowers of *Edward Bagshaw's* Modesty; take him now in the shape of *D. E.*

Second Letter of Animadv. Pag. 1.

'*A Person so lost to all Good Breeding, of so forfeited, of so*
'*undone a Reputation, in point of meer Morality, &c.*] *A Hog*
'*playing upon the Organs*] *A Scavenger washing a Surplice*] *a*

Ibid. Pag. 2.

'*Morrice-dancer*] *a Fidler in all Governments, and would have*
'*been a Fidler in the worst of them, for which end he knows how*
'*many pitiful Leggs and Faces he made to Scrape acquaintance*
'*with the Tyrant* Oliver] *a Common Barretter*] *a Mercinary*
'*Songster*] *that for two Crowns more would change his Note, and*
'*Rayle against his Patron*] *A whiffling Thin-soul'd Adversary*]

Ibid. Pag. 3.

'*Who hath not let any Thing Sacred, whether Person, or Do-*
'*ctrine, escape his venomous Pasquils.*

Would not any man that did not know This Fellow for a Le-

a *Levite*, take him for a *Buffon*, or an *Affidavit-man*? Is This the *Temper* of an *Evangeliſt*, or the *Dialect* of a *Goſpel-Miniſter*? It makes *Religion* look like a *Fable*, to ſee a *Common Libeller* in the place of a *Preacher*, a known *Seducer* in the place of a *Guide*. What *Agreement* is there with *Chriſt* and *Belial*? The Spirit of *Love*, and *Truth*, and That of *Slander*, and *Impoſture*? or in fine, what proportion betwixt the *Duties* of a *Divine*, and the *Practiſes* of Mr. *Bagſhaw*?

Of all the Ill he ſays, I Challenge him to Prove One Syllable, it is not my part to prove a *Negative*. Yet Thus far I'll adventure.

For my *Moralities*, I dare refer my ſelf to any man that knows Mee, and has not been an *Enemy* to the *King*: For my *Quality*, and *Application*, which he repreſents for *Mean* and *Mercenary*, I muſt enform Mr. *Bagſhaw*, that *L'Eſtrange* has been in the ſame *Seat* in *Norfolk*, almoſt thrice as long as *Presbytery* has been in the *World*: And for my *Loyalty*, he gives *himſelf* the *Lye*, in calling me *Cromwell's Spy*; for he Confeſſes in the very next *Page*, *that the Crafty Tyrant would not admit me*. Now if Mr. *Bagſhaw* will ſtand the Hazzard of Calling *Mee* to a *Particular Proof* of what I have ſaid concerning *Him* (which in his rayling Pamphlet he has yet ſo much wit in his Anger, as not to make any words of) if I make it not good, let me abide the blame of it. *Cambden's Deſcription of Norfolk.*

But why ſhould I think my ſelf *Ill-uſed*, when he has ſcarce treated any man *better*? In his fore-mentioned Libel againſt the Biſhop, he has Theſe Expreſſions; beſide the Abominable Untruths which he Fathers upon the Right Reverend Biſhop.

'*The Fatal Example of That one Biſhop's Uſurpations* [Pag. 3.] *Impertinent and Falſe*, [Pag. 5.] *Moſt Falſe*, [Ibid.] '*If any are Cholerick and Teaſty enough to be of his mind*,' [Ibid.] '*As to Chriſtian Charity the whole thing is but a Letter of De-*'*fiance againſt it*, [Pag. 6.] *There can be nothing more* Letter of Animadver. Pa.

falſe,

'*false*, [ibid.] *This Malitious and ill-grounded Fancy*, [ibid.] '*It is bold and Impious*, [Pag. 7.] *Were he either Christian or* 'Man *enough*, [Pag. 9.]

He that would know more of him, needs but enquire of any Honest man that knows him; unless he had rather read him further in *Himself*, and Then his *Narrative* against Dr. *Busby* does the Business: A Person, not only *Eminent* and *Exemplary* for *Piety*, *Justice*, *Learning*, and *Hospitality*, but his most *Indulgent*, and *Bountiful Master*; One that *Comforted* him in his *Disgrace* (he knows what I mean; *That*, which made him quit the *Proctorship* to *Carpinder*) One that *Relieved*, and *Entertain'd* him in his *Distress*: and yet This *Venerable Person*, does Mr. *Bagshaw* endeavour to *supplant* by his Interest with *Bradshaw*, (and had well-nigh Effected it) Reproaching him at last, with *Perjury*, *Treachery*; as a man *Covetous*, *Cruel*, *Void of Conscience*, *Violent*, *Dissembling*, *Corrupt*, *Ambitious*, *Tyrannical*, *&c.* In his Preface to This Pamphlet, he falls foul upon Dr. *Pierce*: And to conclude; after his Invectives against *Majesty*, *Episcopacy*, The *Right Reverend*, and the *Reverend*, his *Learned Indignation* Descends upon *Mee*; Recommending me to mine own *Whip*; which, if his Forehead were not *Wainscot*, he would not *Name* without a *Blush*, it being only a *Temperate Reply* upon a *Scurrilous Libel* of his against the Bishop of *Worster*.

Truly the *Quality* of my *Adversary* might very well dispense Mee the Trouble of a *Vindication*; and yet me-thinks it looks like *something*; to be charged with Wickedness by so competent a Judg of it, as Mr. *Bagshaw*; and it is not without Colour, that *Bradshaws Property* should be able to give some Accompt of *Cromwel's Intelligencers*. Wherefore to stop the mouth of *Calumny it self*; or which is *more*, to *Silence* Mr. *Bagshaw*: I defie the whole world to Contradict any One Syllable of This Ensuing Relation, which I make a little Tedious, to save my self a further, and a double Labour.

From

FRom the first Expedition of the *Scots*, in 1639. to This Instant, I never declined any *Hazzard*, *Travail*, or *Expense*, within the Compass of my *Nature* or *Power*, in reference to my *Duty* to the *Royal Interest*. In 1644. I was *Condemn'd* to *Die* for his Majesty. Dr. *Mills* (then *Judg-Advocate* of the Court, and now *Chancellour* to the Bishop of *Norwich*) pronounc'd my *Sentence*; (None of my Friend, either *Then*, or *since*) let him say, if at the *Barr* I *disowned* the Cause for which I was adjudg'd to *Dy*. Being thrown into *Newgate*, I was Visited by Mr. *Thorowgood*, and Mr. *Arrowsmith*, (Two of the *Synod*) who very kindly offer'd me their utmost Interest, if I would but make some *Petitionary Acknowledgment*, and submit to take the *Covenant*. These Gentlemen (if *Living*, as I suppose they are) will acquit me, that I Refus'd it. In Order to my *Reprieve*, I wrote several Letters, to The Earl of *Northumberland*, the Earl of *Stanford*, (and others of the Nobility that are since Dead) From which Noble Persons I received all Honourable *Justice*, and *Favour*. In the House of *Commons*, I was Particularly Obliged (among others) to Sir *John Corlet*, and Sir *Henry Chalmondly*: who can bear me witness that I used no Unworthy means to save my Life: But *Reprieved* I was, and in Order to a *Further Hearing*, in *appearance*; though *effectually*, *during Pleasure*.

After almost Thirty Months spent in vain Endeavours either to come to a Hearing, or to put my self into an Exchangeable Condition; I Printed This following State of my Case, and *Dedicated* my *Charge* and *Defence*, as an *Appeal from the Court-Martial, to the Lords and Commons*. Entituled,

L'Eſtrange his *Appeal* from the *Court-Martial* to the *Parliament*.

My Lords and Gentlemen,

HE that *ſuffers without* a Preſident, is not bound to *act by* one; if I be the *only man*, in *whoſe behalf no man* will *move*, blame me not (I *beſeech* you) if I be the *only man too*, that *moves* for *himſelf*. My *Application* muſt be *ſingular*, as my *Fortune*; which (I think) is *peculiarly* mine *own*.

After *thirty months patience*, at leaſt a *hundred Petitions*; (but for *breathing room*) not ſo *few Letters* of *Thanks* to your *Members*: (only for *ſaying*, *'tis hard.*) After all this, and *more*, (and to no purpoſe) I am told, *my Caſe* is different from *other* mens. I am *condemn'd*; and there's *nothing* to be done in *my buſineſs*. Am I then *becalm'd* in *Newgate*? *Truth* it is, I was *condemn'd* by a *Court* of *Warr*, but by your *Honours Repriev'd*, and with ſome *check* to the *temerity* to the *Court*. For I was (in effect) *tryed* by *one Committee*, and *ſentenced* by *another*. Since that, I have *awaited* my *promiſed Hearing*, and can now *expect* no *longer*, (unleſs I make it a *Buſineſs* of the *next World*,) being (at this inſtant) *reduc'd* almoſt to my *firſt Principles*, by a *Conſumptive*, *Hectique Diſtemper*: I ſhall therefore *immediately* bring my *ſelf* to the *Barr*, and *Appeal* to *you* as my *Judges*. My *charge* was taken in *Characters* from the *mouth* of the *Judg-Advocate*, and *this* is *exactly* the *ſame* with *that*, whereupon I ſtand *condemn'd*. My *Anſwer* to it, I *preſent* you with it; and with *that*, my *Deſires*; which are, that either upon *ſecurity*, or my *Parole*, I may enjoy a *ſeaſonable Liberty*; upon *Conditions* either of *rendring* my ſelf a *Priſoner* within what *time* you *fix*: or *indefinitely*, when you *demand* it. If any man ſhall yet *ſcruple* my *freedom* upon the *old ſcore*, I offer my *ſelf* to any *charge* he ſhall *pretend* againſt me: But if *thus* I muſt

I must *perish*, as I have been *civil* to *you*, I shall be *just* to my *self*, and find at last some way to vindicate my Ashes from the *reproach* and *infamy* of a *Gaol*.

Be pleased *now* to take as fair a *view* of my *Crime*, as you have of my *punishment*, and then to *measure them*.

The Judge Advocate *having* read *the several* Examinations *and the* Commission, *thus begins.*

Judg-Advocate.

Sir John Corbet, *I have now done with the* Evidence, *I shall only crave leave now to make some few* Observations.

First, *That this* Commission *of the* Prisoner, *is not the* Commission *of a* Souldier, *to* raise, *or* conduct *any* strength, *or* men *of* Warr; *but a* Commission *of meer* Bribery *and* corruption, *to make a* party *with* Money *and* Preferment.

Secondly, *The* Prisoner *came with this* Commission *from the* Enemy, *into the* Quarters *of the* Parliament, *without* Drum, Trumpet, *or* Pass; *which alone brings him within the* danger *and* penalty *of a* Spy.

Thirdly, *Hee came attended with no manner of* Forces *as an* Enemy, *but* alone, *in a* secret maner, *and made choice of a* solitary *place* (*near* Lynne) *to obscure himself, the better to effect his* Treacherous Design.

Fourthly, *That he relyed not on the strength of his* own Party, *to have* surprized Lynne, *but used* unwarrantable *and* treacherous means *to* accomplish *the same, promising* Leman 1000 *l. and Corporal* Haggar 100 *l. and a* Canoniers *place*, (both *of the* Garrison) *if they would contribute their assistance therein.*

Lastly, *His Design was of that* nature, *and carryed on in so* clandestine *a way, as that himself thought not fit to* Treat *upon it, without a strict* Obligation *of* Secrecy.

By all which it appears, that as the Prisoner *came not into our* Quarters *as a* fair *and* open Enemy, *but with Treacherous ends* and practises; *so being now* taken *in the* manner, *hee*

hee may not expect the priviledge *of a* iust Enemy, *but rather the* condigne punishment, *which by the* Law and Custom *of* Armes, *belongs to* Spies *and* Treacherous Conspirators.

To *These* I *Answer* in *Order*, and for *Satisfaction*, refer you to the *Commission* itself.

The Commission.

Charles R.

WE *having received from our Trusty and Well-beloved* Roger L'Estrange, *Declarations of the Good Affections of divers of our well-affected Subjects of our* Counties *of* Norfolk *and* Suffolk, *and particularly of our* Town *of* Lynne, *as also some overtures concerning the reducing of our said* Town *of* Lynne, *: We have thought fit forthwith to return our* Royal Thanks *unto our said well-affected Subjects, and particularly to give our said Trusty and well-beloved* Roger L'Estrange *these encouragements to proceed in our* Service, *and principally in the work of* Reducing *the said* Town *of* Lynne.

First, That in case, that attempt shall be gone through withall, hee the said Roger L'Estrange *shall have the* Government *of the* Place.

Secondly, That what Engagements *shall be made unto the* Inhabitants *of the said* Place, *or any* other person *capable of contributing effectually to that Service, by way of* Reward, *either in* employment *in his* Majesties Navy, *or* Forts; *or in* Monies *not exceeding the summe of* 5000 *l. the* service *being* performed, *shall be punctually made good unto them.*

Thirdly, That they shall in this Work receive what Assistance *may be given them from any our neerest* Garrisons.

Fourthly, That when our said Town shall be reduced *unto Our* Obedience, *Wee shall forthwith send thither such a considerable* Power, *as shall be sufficient to Relieve and Preserve*

ſerve them, Wee being at preſent (even without this) fully reſolv'd to ſend a conſiderable Power, *to* encourage *our* faithful Subjects *in* thoſe parts, *and to* regain *our* Rights *and* Intereſts there.

By his Majeſties Command,

Oxford, Novemb. 28. 1644. GEORGE DIGBY.

Now to my Charge.

L'Eſtrange.

Firſt, This *Commiſſion* is the *Commiſſion* of a *Souldier*, *enabling* me to *raiſe* and *conduct ſuch* a *Party*, as ſhould *attempt* the *ſurprizall* of the *Town*. The *matter* of *Money* and *preferment* is in the *Commiſſion expreſly propounded by way of reward*; and to *pay* the *Souldier*, is neither *Bribery*, nor *Corruption*.

Secondly, The *Article* runs, Within the *Quarters* of the *Army*, not *Parliament*. But I was not *apprehended* within the *Quarters* of the *Army*, therefore no *Spy*.

Thirdly, I came *attended* as an *Enemy*; that is, *enabled* to any *Act* of *Hoſtility* whatſoever.

Fourthly, I *relyed* upon the *ſtrength* of *mine own Party*, and *uſed warrantable means* to *accompliſh* the *ſurprize*. *Leman* was not of the *Garriſon*; *Haggar* was, but *appeared* not to me under that *Notion*. Admit them *both*, what you would *have* them; I could have *juſtify'd* it. They *voluntarily proffered* to *aſſiſt* me, and I had been a *Traitor* or a *Fool*, if I had either *diſcouraged*, or *diſſwaded* them.

Laſtly, The *Deſign* was of that *nature*, that if *diſcovered* it were *loſt*, (the *quality* and *hazzard* of all *ſurpriſes*) I therefore thought fit not to *Treat*, without a *ſtrict Obligation* of *Secrecy*.

By all which it appears;

Firſt, That I came not into your *Quarters* at all; that is, not the *Quarters* of the *Army*.

Next, That I came as a *fair* and *open Enemy* (never pretending to be any other than I was.)

Lastly, That I had no *Treacherous ends*.

Being *thus apprehended*, by the *Laws* and *Customs* of *Warr*, I am a *just Enemy*, and *Prisoner* of *Warr*; no *Spy*, or *Treacherous Conspiratour*.

Upon my desire of a dayes respit to prepare and digest my Defence, *the* Judg-Advocate *enterposed in these words.*

Judg-Advocate.

Sir John Corbet, *whereas the* Prisoner *desires* time *to make his* Defence, alledging *that hee hath* Witnesses *to* purge *himself, that are* necessary *for his* Defence; *I conceive that altogether* unnecessary, *because we* proceed *only upon his own* confession, *and there being no* Witnesses *against him*, wee *take the* Case *as* hee *hath* set it forth, *and* commited *it to* your judgment; *you may perceive, and he might have remembred, that his* Charge *was founded not only upon the special* Articles, *and* Ordinances *of* Parliament, *but upon the generall* Rules *and* Customs *of* Warr, *which every Souldier ought to be knowing of. And* (Sir) *so farre as I understand any thing of the* Customs *of* Warr, *It's a* known Rule, *that for any to come into the* Enemies Quarters, *without a* Passe, Drum, *or* Trumpet, that *makes him a* Spy; *and then to* Treat *with them of the* Garrison, *or to draw them to* Treat *to* betray *the* Garrison, *this makes him a* Treacherous Conspiratour.

E'Estr.

If my *Charge* be *founded* upon mine own *Confession, produce* those *clauses, thence*, whereupon this *Charge* is to be made *good*. My *whole Confession* is (in *substance*) *This*; that I had ever been of the *Kings Party*, and that I *intended* to *execute this Commission*.

I urged then, the *impossibility* of *Betraying* a *Trust* I never *received*; and to my *self*; and that I should be both *Enemy*, and *Traytor*: And again; how *inconsistent* it was with the *Equity*, and *Reason*, of the *Law* of *Armes*, (which is *uniform*, and *universal*) that the *same Law* which *punishes* the

the *Deſtroyer* of his *Truſt* with *Death*, ſhould with *Death* *alſo puniſh* the *Aſſertour* of it.

To *This*

Judg-Advocate.

Sir, the Priſoner *miſtakes the* Point, *he is not* charged *with* *breach* of *Truſt*: *It is not ſaid, he* had *any* Truſt, *or* broke any, *but that he did* endeavour *to* procure *them to* betray, *which* *had a* Truſt, *and ſo he did* plot, *and* thoſe *were to be his* Confederates.

L'Eſtr.

By *this Rule*, he that *Summons*, *Aſſaults*, or *Beſieges* a *Place* (becauſe in *ſo* doing, he *endeavours the ſurrendring* and *yielding it up to the Enemy*) ſhall be *arraigned* as an *Apoſtate*, or a *Traytour*: The very *Article* involving *him* in the *ſame* danger with *him* that *endeavours* the betraying of it. Again, the *Article* ſayes *expreſly*, it muſt be *contrary to the Rules* *of Warr*: *Rules* (certainly) preceding *this*, and *which it ſelf* *is not*: *Rules poſitive* and *known*, not *Arbitrary*. Now ſhew that *Poſitive*, *known Law*, which I have *Tranſgreſt*. In *one* *word*: The *Court-Martial* by its *own Laws* cannot *Try* an *Enemy*.

Judg-Advocate.

Sir *you ſee the* Caſe, *it is not what* hee ſayes *is* Law, *nor* *what* I ſay *is* Law; *but what* you judge *to be* Law. *You ſee the* Caſe *is* plain, *he came without* Trumpet, Drum, *or* Paſs, *into* *our* Quarters *from the* Enemy; There, *he dealt with the* Gar-riſon *of* Lynne, *and in* that caſe, *he came not with the face* of an *Enemy*, but as a *Spy*.

L'Eſtr.

To the *Buſineſs* of a *Spy*, *Thus*.

Firſt, I was no *Spy*.

Next, I had not been *Tryable* in *this Court*, if I *had been one*.

I *was none*, being *apprehended* neither in your *Garriſon*, nor *Quarters*; for by the *Quarters* of the *Army*, is intended the *place* where the *Army* lyes *enquarter'd* at the *time* of the *Ap-prehenſion* of ſuch a *perſon*; but where no *Forces* are, there is neither *uſe*, nor *poſſibility* of a *Spy*.

Upon this *Assertion*, that *this Court* took no *Cognizance* of *Spies*. The *Judg-Advocate*, thus:

Judg-Advocate.

Sir John Corbet, *the* Gentleman *might have saved a* labour, *and not* limited *the* Power *of this* Court: *for they* proceed *upon a* Law, common, betwixt the *enemy* and *us*.

L'Estr.

If *this Court-Martial* proceed upon a *Law common* betwixt the *two Armies*, what mean those *restrictive Clauses*, so frequent in those *Ordinances*, by *virtue* whereof they *sit* and *determine*; where they are expresly * *limited and appointed*, to *proceed* according to the *Articles* there *specified*? Again, what needs the *annexion* of *five particular Articles* of the Earl of *Essex* his, with *Ordinances virtuating* them to *proceed* according to *those Articles*? what need these *Ordinances*, if the *Court* could *proceed without* them? And why are but *five Articles expresst*, if their *Power extends* to *all*? Now if the *Court* be *limited* to *those Articles*, *there* being no *Article* against *Spies* among them, I have *proved* what I *desire*.

* The letter of of the Ordinance.

Judg-Advocate.

Sir John Corbet, *to take away all* Dispute *about the* Power *and* Authority *of the* Court, *and the* rules *upon which they* proceed, *I shall read the* last Ordinance of Parliament *that was* made *in this* particular case *of Mr.* L'Estrange.

The Order.

IT *is this day* Ordered *by the* Lords *and* Commons, *That* Roger L'Estrange *be referred to the* Commissioners *for* Martial-Law, *and to be speedily* proceeded *against*, *according to the* proceedings *of* Martial-Law, *for being taken with a* Commission *from the* King, *for the* delivering *of the* Town *of* Lynne *to the* King, *and* endeavouring *accordingly to do it*.

John Brown.

By this Ordinance *you are not* limited *to any* particular Article, *but are left to the* latitude *and* scope *of* Martial-Law

in

in general, *and this* Court *hath made choyce to* proceed *against the* Prisoner *upon a* known *and* common Rule *of* Martial proceedings, *by which the* other side *proceed against* ours; *therefore he hath no cause of* complaining *against* the equity *of this* Rule.

R. L'Estr.

True, this *Order refers* mee to the *Commissioners* for *Martial-Law*, to be *proceeded* against according to the *proceedings* of *Martial-Law*; that is, *Such Martial-Law as they are Commissioners for*; and what that is, those *Ordinances* which *enable* them, will best *determine*; they are *there*, as well as *here*, stil'd *Commissioners for*, and *Executors of Martial Law*, yet not in the *latitude*; now if they be not *Commissioners* for *Martial-Law* in the *latitude*, neither must their *proceedings* be in the *latitude*.

Something *more*, to the *same purpose*, was (a while) *bandyed* and *retorted*, but (in *substance*) the *Dispute* closed here. The *Commissioners* with-drew to *Weavers-hall*, whence (after some *half-hours Debate*) *returning*, the *Judg-Advocate admonished* mee to *acknowledge* the *fair respects* of the *Court*, in that they had afforded mee till *Saturday* at *three afternoon*, to *form* and *strengthen* my *Defence* (*this* being *Thursday.*) Upon *Saturday* late at *night*, I was brought to the *Barr*, not *suffered* to *speak*, *Condemned*, *For endeavouring the Betraying of the Town and Garrison of Lynne*, &c. *Adjudged to be hang'd*; and *many persons contributed* to *this Vote*, who had not *heard* one *syllable* of my *Tryall*. After I had *received* my *sentence*, I *threw* a *paper* among them, *adding* with-all, that it was my *Defence*; *which*, since they would not *hear*, they might *read*: A *Wilts. Gentleman burnt* it. I was *thence conducted* to *Newgate*; and *here* the *story fals* into a *Circle*, Sir *John Corbet* was *President* of the *Court*, and in *that relation*, I have often to do with his *Name*, I would *leave* it as *fair* as I *found* it; I never *believed* the *Gentleman* my *Enemy*.

Newgate June 1647.

After almost Four years Imprisonment, (with my Keeper's Privity) I slipp'd into *Kent*; and after the dissolution of That Affair, with much difficulty I got *beyond-Sea*. About the Latter end of *August*, 1653. The Long Parliament being Routed by *Oliver*, I returned into *England*. And now I come to Mr. *Bagshaw's Particular Charge*.

E. B. Pag. 8. & 9.

[K] *I would not willingly, while I plead for the keeping of our Laws by others, be found a Transgressor of them my self; yet since he dare bear himself so much upon his Innocence, as if he needed no the Laws protection; I must crave leave to repeat what I know your Lordship is fully acquainted with, that this very Pamphleter did heretofore frequently sollicite that he might be admitted to private conference with Oliver, and humbled himself to so low an ebbe of baseness, that he often brought his Fiddle under his Cloak to facilitate his entry; and when he saw that crafty Tyrant would not admit of one, whom he knew unfit for the management of a serious Treason; he then by little Bribes, bestowed upon his meanest Attendants, shewed how willing he was to purchase Access at any Rate; All which Attempts were nothing else, but so much undredged Treason; which would not so long have flutterred in the dark, had but that Tyrant thought him worthy of imployment, and added wings unto his waxen disposition.*

R. L'S.

[K] 'Tis Truth, *I bear my self so much upon my Innocence*, that I disclaim the Benefit of the *Pardon*, and (if I know my self) the *Punishment* would be less Grievous to me then the *Crime*, if I were *Guilty*. But Mr. *Bagshaw* says, I am; tells his *Story*; and has the Face to affirm, that *'tis no more then to his knowledge, my Lord Chancellour is fully acquainted with*. To which in Answer;

I must enform the world, that my Lord Chancellour has, not long since, upon his Honour, profes'd himself a Stranger to the very Rumour of what is here laid down in charge against mee. (Yet (with my Libellers Leave) *to be fully acquainted* with a Matter, goes further then the hearing of a *Report*; and Implies, *so to know a thing, as to*

know

knew the Truth, and Bottom of it.) His Lordship was pleas'd likewise at the same time, to Declare, that *he never did, or could believe me Capable of so great a Baseness: and that he thought me a very Honest man.* So that Mr. *Bagshaw* stands now upon his single Testimony, to prove what he has said.

He will have it, that *I frequently sollicited a Private Conference with* Oliver. I would not care if I had done so; for I could make twenty fair Pretenses to warrant it; But I do utterly, and to all purposes *deny* it. In sooth his next is a choise Piece. He says, *That I often brought my Fiddle under my Cloke to facilitate my Entry.*

Surely this same *Edward Bagshaw* has been *Pastor to a Graves-end-Boat*, he has the vein so right. *A Fiddle under my Cloak?* Truly my *Fiddle* is a *Base-Viol*; and that's somewhat a troublesome Instrument under a Cloak. 'Twas a Great Over-sight he did not tel my Lord to what *Company* I belong'd too; but a man may see what a Libeller is when the Devil leaves him to himself. In earnest, This Device, is not worth a Serious Word. But wee'll to That that is.

Behold the Glorious *Champion* of the Pretended *Holy Cause*, and by what *Crooked Shifts* The Miserable Wretch strives to *Maintein* it: Think Then what kind of Cause it is that needs or owns the Ayd of so *Infamous* a *Methode*, or so *shameless* a *Patron*. Take all that ever dropt from his Pen upon This Subject; What is it but a *Flux of Poyson?* and totally directed either to *Propagate Error*, or *Deprave Virtue*; to make *Some Really Wicked*, and to make *Others Appear* so. Is This the Office of *God's Minister*, or of *Satan's?* or, Whether is it *God's* Cause, or *Satan's*, that supports it self by *Forgery*, and *Scandal?*

I am now to accompt for the *little Bribes I bestowed upon* Cromwell's *nearest Attendants*. I suppose, Those People had *Names* that *received* Them. Let him say, *Who, What, When*, and let the Infamy stick upon me if he Proves what he says. Let it Rest upon him, if he does not; and yet I

am

am of Opinion, that I might have requited a Common Civility with a Common Gratuity, and that with a very good Conſcience. In fine, *the Tyrant would not vouchſafe to Employ me*, and from thence, *Bagſhaw infers, that I was* Cromwell's *Spy*. Now hear the Truth in a plain Tale.

Upon the Diſſolution of the Long *Rump*, in 1653. I return'd from beyond-Seas into *England*, and preſently advertiſed the Council then ſitting at *White-Hall*, that finding my ſelf within the Protection of the Act of Indempnity, I thought it Convenient to give them notice of my Return; This was about the Latter end of *Auguſt*, ſoon after which time, I was ſerv'd with This following Order, the Copy whereof I have ſtill by me.

Wedneſday 7th of *September*, 1653.
At the Councel of State at *White-Hall*.

Ordered,

THat Roger L'Eſtrange *bee ſent unto, to attend the Committee of this Councel for Examinations.*

Ex. *Jo. Thurloe*, Secr.

This Order brought me under a Neceſſity of Attending for my diſpatch, but perceiving my Buſineſs to advance very ſlowly, and my Father lying at that time Ill of his Death-Sickneſs; I did my endeavour to haſten my Diſcharge what I could, that I might pay my Duty to my Father, (whom I had not ſeen for many years before) and receive his laſt Bleſſing. Mr. *Strickland* was one of the Commiſſioners appointed for my Examination; and the Perſon from whom (in the Judgment of my Friends) I was to expect the leaſt of Courteſie. Wherefore the better to diſpoſe him to my Convenience, I gave him the Reſpect of a Viſit, telling him franckly, that I was return'd upon the Invitation of the Act of Indempnity; and laying before him how much it concern'd me both in poynt of *Comfort*, and *Intereſt*, to ſee my dying Father. Inſtead

ſtead of Complying with my Propoſition, his Anſwer was, that *I would find my ſelf miſtaken, and that My Caſe was not Comprehended in That Act*: My Reply to him was, that *I might have been ſafe among the* Turks, *upon the ſame Terms*: and ſo I left him.

From That time, matters beginning to look worſe and worſe, I concluded upon it as my beſt courſe to ſpeak to *Cromwell himſelf*. After Several diſappointments (for want of Opportunity) I ſpake to him at laſt in the *Cock-pit*, and the Sum of my Deſire was either a *Speedy Examination*, or that it might be deferr'd till I had ſeen my *Father*. 'Hee told me of the Reſtleſneſs of our Party; that 'Rigour was not at all his Inclination; that he was but 'one Man, and could do little by Himſelf; and that Our 'Party ſhould do well to give ſome better Teſtimony of 'their quiet and Peaceable Intentions. I told him, that every man was to Anſwer for his *own Actions*, at his *own Peril*: and ſo he went his way. A while after, I prevail'd to be called, and Mr. *Strickland*, with another Gentleman (whoſe name I have forgotten) were my *Examiners*; but the Latter preſs'd nothing againſt me: Mr. *Strickland* indeed inſiſted upon my Condemnation, and would have caſt me out of the Compaſs of the Act; telling me at laſt, that I had given no Evidence of the Change of my mind, without which I was not to be truſted. My final Anſwer was to this Effect: That it was my *Intereſt* to Change my Opinion, if I *could*; and that whenever I found Reaſon ſo to do, I would do it. Some few dayes after This, I was diſcharg'd according to the Tenor of This Enſuing Order.

Monday the 31th of *October*, 1653.

At the Council of State at *White-Hall*.

Ordered,

THat *Mr.* Roger L'Eſtrange *be diſmiſſed from his further attendance upon the Councel, hee giving in Two Thouſand Pounds ſecurity to appear when ſhall be ſummoned*

for to do, and to all Nothing Prejudicial to the Commonwealth.

Ex. Jo. *Thurloe*, Secr.

During the dependency of This Affair, I might well be seen at *White-Hall*, but that I ſpake to *Cromwell* of any other Buſineſs then This; That I either ſought, or pretended to any Privacy with him, or that I ever ſpake to him after This Time, I do abſolutely diſown; and Mr. *Bagſhaw* will find as much *Difficulty* to prove the Contrary, as to Deny Thoſe Treaſonous and Schiſmatical Principles which I have now raiſed in Judgment againſt him, out of his own Papers.

Concerning the Story of the *Fiddle*, This I ſuppoſe might be the Riſe of it.

Being in St. *James* his *Parke*, I heard an *Organ* Touch'd in a little Low Room of one Mr. *Hinckſon's*. I went in, and found a Private Company of ſome five or ſix Perſons. They deſired me to take up a *Viole*, and bear a *Part*. I did ſo; and *That*, a Part too not much to advance the Repute of my Cunning. By and By, (without the leaſt colour of a *Deſign*, or *Expectation*) In comes *Cromwell*; He found us Playing, and (as I remember) ſo he left us. This is it which Mr. *Bagſhaw* Amplifies to the Report of *Often bringing my Fiddle under my Cloke to Facilitate my Entry*. [*Often.*] he ſays; which is *Falſe*, for 'twas never but This *Once*. [*Bringing of my Fiddle*] That's Right again. I neither *Brought* it, nor was it *My* Fiddle. [*Under my Cloke*] That's *Licentia Presbyteriana*. [*To Facilitate my Entry*] Whereas inſtead of *my going* to *Oliver*, *Hee came* to *Mee*. After All; I do profeſs here, that I would have made no Scruple on the Earth to have given *Cromwell* a *Leſſon* for my *Liberty*. But I affirm, that *I did it not* however.

As to *the Bribing of his Attendants*; I diſclaim it. I never ſpake to Mr. *Thurloe* but *Once*, in my Life; and That was about my *Diſcharge*. Nor did I ever give *Bribe*, *Little* or *Great*, in the *Family*.

In

In These *Late Revolutions*, I dare undertake to make it appear, that I have Engag'd my self as Frequently, and as Far, upon the King's Accompt as any Subject his Majesty has of my Condition in his Three Kingdoms; and This I can Prove by Several, and Eminent Persons in the City; and elsewhere: Only *having been Honest through the whole Course of his Sacred Majesty, and his blessed Father's Adversities; It is held convenient, that I should pass for a Rakal in the King's* Prosperity. But I shall remit my Innocence to *Justice*, *Time*, and *Reason*.

[L] *And thus, my Lord, though perhaps with more brevity, than the Cause, yet greater length than your Lordships Occasions will bear, I have not only defended my self, but likewise uncased my Accuser; for whom while I implore your Lordships Mercy; (for as he stands thus naked in his colours,* Justice *will never spare him) I beg nothing for my self but so much* Equity, *that I may have leave to plead my own cause at your Lordships Bar, before you conclude me guilty; and since, I doubt not, but your Lordship will allow, that difference in Opinion about* Religious Matters, *may easily be reconciled to a candid persuasion of the same* Civil Interests: *since diversity in* Habits, *need not alter the disposition in hearts; and since he that desires sincerely to serve God, ought not to be counted a stranger, because he serves him not in his neighbours fashion: As long as there is an Eternal Truth in such kind of Principles, and Moderation enough in your Lordship to close with them, I shall not so much wrong your Goodness, as to despair of your Favour.* E. B. Pag. 9. & 10.

[L] MR. *Bagshaw* makes his Boast here of his *Defence*, and his *Discovery*; but so far is he from *defending* himself, that he does not so much as mention his *Charge*: and so far likewise from *uncasing Me*, that he only casts his *own Cloke* upon *My Shoulders*, Putting *L'Estrange* his *Name* to *Bagshaw's Character*. R. L'S.

His *Moderation*, of *begging only leave to plead*; I must confess, is *laudable*: but he mistakes the *Bar*; for *his Business* lyes at *Common Law*, not in the *Chancery*.

He is pleased to *Implore on my behalf*, *rather Mercy*, *then Justice*; I'll do as much for *him*. I have the *Charity*

to look upon his *Rayling*, but as a fit of *Vomiting*: His *Stomack's foul*, and it muſt *up*. Nor would I underſtand his *Seditions*, and *Bold Impoſings* upon *Law*, and *Government*, to be any Other then the *Ebullitions* of his *Pride*. And his *Phantaſtiques* in *Religion*, what are they, but the meer *Dotages* and *Reſveries* of a *conceited Feavour*? Moſt certainly, his Crimes narrowly Scann'd would Endanger his *Head*; but (without Malice to his Life) when *Preachers* become *Libellers*, Some marque, in earneſt, were not amiſs to the People, that they might diſtinguiſh betwixt a *Church-man*, and a *Buffon*: And to comply with Mr. *Bagſhaw* in his own way, methinks a *Yellow Coat* would become him as well as a *Black*; and much more *ſuitable*, it were to his *Employment*. I ſpeak with Reverence to his *Function*.

We come now to his *Maſter-piece*, where very ſlily he winds off, as if the *Reconcilement of Differing Opinions about* Religious Matters, *to a Candid Perſuance of the ſame* Civil Intereſts, were the Thing in Queſtion. But that's a Juggle. *He takes the power from the* King, *and gives it to the* People: *He Charges his* Majeſty *with* Uſurpation: *Reckons Him among* Impious Pretenders: *Contradicts and Oppoſes Him even againſt the Confeſſed Dictates of his Proper Conſcience.* And what's all This now to *difference of Opinion about* Religious Matters?

We have brought him now to his laſt Complement, where, (with Sir *Philip Sidney's Spaniel*) *he bemires with fawning.* Yet ſee with what a face of *Dignity*, and *Virtue*, the *Servile Triſle* Menages his *Bold*, and *Vain Pretenſions*. 'Tis not with *Him* you'll find, as with [*the greateſt part of my Lords followers*]. In Truth, if it were ſo with *Them*, as 'tis with *Him*, my Lord would have great Cauſe to be *aſhamed* of his *Retinue*. But Mr. *Bagſhaw's Picture* is beſt drawn by his *own hand*, and His *Humour* beſt expreſs'd in his *own words*.

And

* *And though the greatest part of your Lordship's Followers, may perhaps croud to you for the Eminence of your Place, and the Height of your Power; Yet I can assure your Lordship, that your great Personal Worth, and the Excellence of your Civil Accomplishments, together with That strict league of Friendship, which such Resemblance of Virtuous Qualities must needs produce, between your Lordship, and That Right Honorable, and truly Noble Person, to whom I am Related, are solely reflected upon by Mee, when I take leave thus publickly to profess my self*

My LORD,

Brevy. Late, May 10. 1662.

Your Lordships most humble and most obedient Servant,

EDWARD BAGSHAW.

Here's Mr. *Bagshaw's* Glosing Reverence to my Lord *Chancellour*; now let the Reader only cast his eye upon the next *Column*, and he shall see this very *Edward Bagshaw* doing *more Honour*, and *Professing Deeper* to the most abominable Monster in Nature.

† To the Honourable

My Lord BRADSHAW,

Lord Chief Justice of *Chester*.

* E. B. Pag. 10.

† Epist. Ded. to Gods Decrees, &c.

I Have no one outward motive more Prevailing with Me, then my, perhaps, too great Ambition of presenting something to your Lordship, whereby I might *testifie to the World*, not only That *real esteem* I have of your Lordships *Singular Worth*, and *Eminence in General*, but likewise to manifest in *Particular*, how mindful I am of those many *Signal and Unparalell'd Marques of Favour, which You have been pleased to conferre upon my self*; for which, though the Service of my *whole life* will be too *Poor*, and *mean a Sacrifice*, and no endeavour can amount to deserve the name of Requital; yet I could not but think it my duty to study an acknowledgment: which *Zeal* of mine, if your Lordship pleases either to *accept*, or *pardon*, I have attained my end; For I aime at nothing more then the *Honour* of being *owned* for

My *Noble Lord*,

Your Lordships most obliged, most thankful, and most humble devoted Servant,

Ch. Ch. Dec. 20. 1659.

EDW. BAGSHAWE.

I shall

I shall now give Mr. *Bagshaw* leasure to *Reconcile* his *Contradictions*; and to Prove that the *Enemy* of *Hierarchy* is *a Friend to the Order of Bishops*: That the *Disclaymer* of the *King's Authority* has *a most Affectionate Esteem for his Majesties Person and Government*; and that his *Adorations* of the *Late King's Murtherer*, will *admit a fair and equitable Plea*, under the Government of his *Royall Successour*.

I am still in Mr. *Bagshaws* Debt for an Answer to his *Second*, and *Third Exceptions*, to my *Memento*; Concerning the *Defamers of the Government*, *that scape better then their Accusers*; *and Those that can come off for Printing*, *and Publishing down-right Treason*, *when I have much ado to scape for Telling it*. That shall be Clear'd in due Season: Only there lies a *General Cavil* in my way to it, and I shall speak to That First; for since my Pen is in Course, I think I had as good do all *at a Heat*.

I am suspected to *Write*, out of a *Love* of *Scribling*; and *Traduc'd*, as if I medled further then belongs to me, with the Government of *Church* and *State*. Those very Persons that Think so, I am content to make my Judges; and here's my Case.

Upon his Majesties Return, there were *Printed*, and *Reprinted*, *New* and *Old*, divers *Seditious Pamphlets*, of most Pestilent Reflection upon the Kings *Honour* and *Justice*; and directly *Libellous* against the *Government* of the *Church*. Some of the Foulest of them I delivered into the Hands of certain *Parliament-men*, (naming the Stationer for whom they were Printed) and, as I am enform'd, Compleint was made of them in the House of Commons, which notwithstanding, they were still publiquely sold in *Westminster-hall*, and There the matter rested without any further Prosecution. This Freedom of the Press, had so manifest an Influence upon the minds of the People, that in a short time, That Unanimous Proneness of Affection, which upon the

Kings

Kings Restauration was most remarquably evident in the Generality of the Nation; was so far alter'd, and wrought upon, by the means of these poysonous Discourses, that the Presbyterian Cause was grown to be the Common Argument of Publique Meetings, and the Power of the Two Houses *Co-ordinate* with his Majesty not obscurely defended. Finding so many Bitter and Infectious Writings to escape, not only *unpunished*, but *unanswered*, to the dayly *Encouragement* of the *Faction*, and the *Scandal* of the *Government*: I reckon'd it my Duty (since no body else would meddle) to supply the Place of a Better Defendent.

My first Engagement was a *Reply (by way of Observation) upon a Treatise*; Entituled, *The Interest of* England *in the Matter of Religion*: Written by *J. C.* Wherein, without any Provocation, *He Justifies the Presbyterian Cause of* 1641. [Pag. 10.] *He excludes the Royal Party that serv'd the late King from having any hand in the Restoring of This*, [Pag. 13.] *He revives the Pretended Misdemeanures of the Bishops, as Occasional to the last War*, [Pag. 31. & 32.] *He maintains the Actings of the Presbyterians according to the Covenant*, [Pag. 44.] *He makes the Two Houses Participant of the Sovereignty*, [Pag. 49.] *He denies the Lawfulness of the English Ceremonies*, [Pag. 88.]

These Positions, and Others like These, over and over urg'd, were the Occasion of my *Holy Cheat*.

The next Pamphlet I wrote was call'd a *Caveat*, &c. and Drawn from me by a desire to clear the *Cavaliers* from some Officious and well-meaning Imputations cast upon Them by *J. H.* in His *Cordial*. Some Passages therein being otherwise Represented then I meant them; and to my Disadvantage, I was forc'd to follow it with *Another*, by way of *Explanation*, and that I call'd *A Modest Plea*, &c.

My Relaps'd Apostate, was an Answer to a *Seditious* and *Schismatical Pamphlet*, Entituled *A Petition for Peace; with the Reformation of the Liturgy*. And the following *Supplement*, was only a *Discovery* of the *Malice* of Some Other *Presbyterian Pamphlets*.

My

My next Discourse was *a Vindication of the Bishop of* Worcester, *from a Libell of Mr.* Bagshaw's. And This, now under my Hand, carries the *Necessity* of it *along with it*: So that Thus far, my Pen has only been *Defensive*, either of the *King*, the *Church*, or, in the last place, of *My own Honour*.

My *Memento*, it's Truth, is a *Mixt Discourse*, and the Greater part of it, Effectually, rather a *Paraphrase* upon Sir *Francis Bacon*, then my *Proper Text*. It is written with more *Honesty*, then *skill*; and it has (the Common Fate of other Things) *Friends*, and *Enemies*. He that *understands* it as I *meant* it, shall do Mee no hurt; and he that takes it *otherwise*, is the more likely of the Two to miss my *Meaning*. Such *Venemous Natures* there may be, as to *Blast* All they *Touch*; Draw *Poyson* from the *Holy Writ*, and Turn the very *Decalogue* into a *Libel*. If it *Displeases Such*, the matter is not great, for it was beside my Purpose to *Oblige* Them.

I shall now be as good as my word concerning *Defamers of the Government*, &c.

Since *the Burning of the Covenant*; was Publish'd a Book, Entitul'd, *APHÆNIX*; *or The Solemn LEAGUE and COVENANT*; Pretended to be Printed at *Edenburgh*; and Dated [*In the year of COVENANT-BREAKING*] The Drift of the Whole is to Justifie the last War; to disaffect the People to his Majesty now in Being; and to Enforce the Obligation of the Covenant, out of an old Sermon of Mr. *Edm. Calamie*'s, call'd, *The Great Danger of COVENANT-REFUSING, and COVENANT-BREAKING*. This Book being brought to my Hand, I procur'd a Warrant to search for it, and Retriv'd about 120 Copies, which I seiz'd, together with the Printer, Dispersers, and One Stationer (of the Three that were Partners in the Impression) I Brought These People to His Majesties Principal Secretary, Sir *Edward Nicholas*; by whose Order, the Printer, and Stationer were Committed;

ted; and the Disperser, being Poor to Extremity, was upon certain Conditions left at Liberty. Concerning the Printer, it appear'd that he acted rather upon Necessity, then Malice: but for *Two* of the *Three Stationers*, to wit, *Giles Calvert* (who was Apprehended) and *Livewell Chapman*: (who was now fled) No men whatever of their Profession have more Constantly, and Malitiously prosecuted the Destruction of the Royal Family. The *Third* Stationer's Name is *Thomas Brewster*, who absented himself for a while, and is since return'd. *Francis Tyton* was one of the *Publishers* (as Right as any of the Rest). At the same Time, I Seiz'd the first Two sheets of the Book of *Prodigies*, then newly put to the Press, and for the same Booksellers.

Giles Calvert did not only come off for This, but during his Imprisonment, (which continued till the Adjournment of the Parliament) his *Wife* went on with the *Prodigies*; upon Proof whereof, She was likewise Committed, and is come off too. See now the Temper and Design of These Pamphlets.

A King abusing his Power, to the overthrow of Religion, Laws and Liberties, which are the very Fundamentals of this Contract and Covenant, may be Controlled and Opposed: and if he set himself to overthrow all These by Armes, then they who have power, as the Estates of a Land, *may and ought to resist by* Arms; *Because he doth, by that opposition, break the very bonds, and overthrow the essentials of this Contract and Covenant.* This may serve to justifie the proceedings of this Kingdom against the late King, who in an Hostile way set himself to overthrow Religion, Parliaments, Laws, and Liberties. Phœnix Pag. 52.

Among the Hellish rout of Prophane, and Ungodly men, let especially the Oppressours and Persecutours of the True Church look to themselves, when the hand of the Lord in the strange Signs and Wonders is lifted among them; for then let them Præface to the Prodigies.

them know assuredly that the day of their calamity is at hand,
Deut. 32. 35. *and the things that shall come upon them make haste.* The total *and final overthrow of* Pharaoh *and the* Egyptians *(those cruel Task-Masters and Oppressours of the* Israelites*) did happen not long after the Wonderful and the Prodigious Signs which the Lord had shewn in the midst of them.*

Prodigies Pa. 1. *Two Suns seen near* Hertford, *&c.*] *The like in the Beginning of Queen* Mary, *and about the Time of the Persecution in* Germany. *It portends also* the Fall of Great men *from their Power.*

Ibid. Pag. 11. & 12. *Armies were seen in* Sussex, *&c.*] *This happened a while before the King of* Swede *routed the Imperial Army:* — *and here in* England *in* 1640.

Pag. 42. *A Terrible Tempest and Raging Tides*] *This in the Low-Countries, a little before they threw off the Yoak of the King of* Spain.

Ibid. Pag. 53. *A River dry'd up,* &c.] *This portends a Revolt and Division of the People.*

Let what I have said, serve to satisfie Mr. *Baglay*, that *Defamers of the Government*, and the *Publishers of Treason may come off*; and better too then their *Accusers*: for I am expos'd to dayly *Menaces*, *Libels*, *Violences*, only for *Asserting* the *Kings Interest*, and *Discovering* his *Enemies*.

It's time now to draw to a Conclusion, and I cannot end better then with giving the World a Particular View of some few of Those Many Treasonous, Seditious, and Schismatical Pieces, which have been Published Since his Sacred Majestie's Return: and with That I shall wind up my *Justification*. Wherein, I shall observe in Order, how they Treat the *Church*, and the King's *Cause*, and his *Authority*.

The Smectymnuans. Upon the Restoring of the King, Mr. *Manton* Publishes *Smectymnuus*, and in his Preface to the Reader, [*I suppose* (sayes he) *the* Reverend Authors *were willing to lye hid under this* ONOMASTICK; *partly that their work might*

not be received with prejudice; the Faction, against which they dealt, arrogating to themselves a Monopoly of Learning, and condemning all others as Ignorants and Novices not worthy to be heard, &c.

Now see the Judgment of his *Reverend Authours*, and what Stuffe Mr. *Manton* Publishes for the *Reception* of His *Majesty*, he himself calling the Episcopal Party a *Faction*.

Do we not know, the Drunkenness, Prophaneness, Superstition, Popishness of the English *Clergy rings at* Rome *already? Yes undoubtedly; and there is no way to vindicate the Honour of our Nation, Ministry, Parliaments, Soveraign, Religion, God; but by Causing the Punishment to ring as far as the sin hath done; that our Adversaries that have triumphed in their sin, may be confounded at their Punishment. Do not your Honours know that the plastring or palliating of these rotten Members, will be a greater dishonour to the Nation and Church, then their cutting off; and that the personal acts of these Sons of Belial, being connived at, become National sins?* Smectym. Pag. 58. Note.

Here's Episcopacy, *Root* and *Branch*, with all Circumstances, Suitable to a *Presbyterian Modesty*, Publish'd by a *Pardon'd Non-conformist*, for the Welcome of His Sacred Majesty.

How comes it to pass that in England *there is such increase of Popery, Superstition, Arminianism, and Prophaneness, more then in all other Reformed Churches? Doth not the Root of These Disorders proceed from the Bishops, and their adherents?* Ibid. Pag. 66.

We have chosen rather to subjoyn by way of Appendix, and Historical Narration of those bitter fruits, Pride, Rebellions, Treason, Unthankfulness, &c. which have Issued from Episcopacy, while it hath stood under the continued influences of Soveraign Goodness. Ibid. Pag. 68.

Here's Presbyterian Gratitude for his Majesties Declaration from *Breda*. See now a seasonable, and Modest Quære.

Covenanters Plea, Pag. 52. *Whether the Lords and Commons of* England *assembled in Parliament, have not a power to make a new Oath, and impose it upon the People, unless the King first consent.*

Now see *Gelaspies* Dispute against the *English* Popish Ceremonies; a Book formerly condemn'd by the Secret Counsel in *Scotland* to be burnt by the Hand of the Common Hang-man, and now lately Published by *Philip Chetwynd*. In his *Epistle* to the *Reform'd Churches*, Thus.

Pag. 9. 1. *Be not deceived, to think that they who so eagerly press this Course of Conformity, have any such end as Gods Glory, or the Good of his Church, and profit of Religion.*

Pag. 11. 2. *Let not the pretence of Peace, and Unity, cool your fervour, or make you spare to oppose your selves unto those* Idle *and* Idolized Ceremonies, *against which we dispute.*

Pag. 16. 3. *If once you yield to these* English *Ceremonies, think not that thereafter you can keep your selves back from any greater evils, or grosser corruptions, which they draw after them.*

Ibid. Pag. 20. 4. *Among the Laws of* Solon, *there was one* which pronounced him defamed and unhoneſt, who in a Civil uproar among the Citizens sitteth still, a Looker on, and Neuter: *much more deserve they to be so accompted of, who shun to meddle with any controversie which disquieteth the Church, whereas they should labour to win the Adversaries of the Truth, and if they prove obstinate, to defend and propugne the Truth against them.*

Pag. 245. 5. *Whensoever you may omit that which Princes enjoyn, without violating the* Law of Charity, *you are not holden to obey them, for the* Majesty of Princely Authority.

Pag. 266. 6. *The Lawfulness of our conforming unto the Ceremonies in question, can be no way warranted by any Ordinance of the Supream Magistrate, or any Power which he hath in things Spiritual, or Ecclesiastical.*

Here's *first* the very *Intention* of *Authority* uncharitably *Defam'd*. *Secondly*, the People *Animated* to *Disobedience*. In the *Third* place Here's a *Jealousie* injected of more Mischeives to follow. *Fourthly*, Not only *Argument*, but

but *Violence* it ſelf not obſcurely *Encouraged*. *Fifthly*, Here's the *King's Prerogative* render'd *dependent* upon the Good Pleaſure of his *People*. And *Laſtly*, here's an *Abſolute denyal* of his Majeſtie's *Supreme Authority*.

The ſame Things over again are Mainteyned in *The Old Non-conformiſt*. *The Tryal of the Engliſh Lyturgy*. *Mr.* Croſton's Pamphlets; *The Intereſt of* England; *The Presbyterian Accompt from the* Savoy. Their *Petition for Peace*, and Their *Two Papers of Propoſals*, *Mr.* Bagſhaw's Treatiſes; and finally, Where not? See next Mr. *Watſon's Word of Comfort*, of but the other day.

Now (ſaith he) *becauſe the Church of God appears in his Cauſe, and loſeth Blood in his Quarrel, therefore God is in the midſt of Her.*] This was Calculated for *Corbet*, and Berkitead, *&c.* Pag. 8.

Take heed of Idolatry; yea, and of Superſtition too, which is a Bridge leading over to it. Superſtition *is an intermixing our fancies and inventions with Divine Inſtitutions; 'tis an Affront offer'd to God, as if he were not wiſe enough to appoint the manner of his own Worſhip.*] Pag. 28.

Is not God upon the Threſhold of his Temple ready to fly? Are not the Shadows of the Evening Stretched out? And may we not fear the Sun-ſetting of the Goſpel? And again. Pag. 30.

The Lord may let his Church be a while under Hatches, to Puniſh her ſecurity, and to awaken her out of her ſlumbering fits; yet ſurely the ſtorm will not continue long. Pag. 39.

What can This Gentleman mean here now by *Superſtition*, but *the Rites of the Church*? What by the *Sun-ſetting of the Goſpel*? but the *Approaching ſettlement* of *Conformity*? And what by the *ſhort continuance of the Storm*? but the ſpeedy *Subverſion* of The *Preſent Authority*? And in Truth, their *Pulpits* do Generally ſpeak the ſame Language. [*Chriſtians: (* ſays Mr. *Jenkins*, ſome five weeks ſince) *you do not know what God has Reſerv'd to be done* For *you*, *and* BY *you*; *only wait the Lord's Leiſure.* David *had*

Saule life in his Power, but far be it from him (he would not say to lift up his hand against the Lord's Anointed, but) to anticipate God's time. Who knows but the Lord may smite him, or he may descend into the Battle, and fall by the Edge of the Sword. Look behind ye, and ye must All confesse what God has relieved ye in your distresses, when ye have most desponded.] In short; he might as well have said to his Congregation, *Remember the last Turn, and Rely upon Another.* Nor is This any Uncharitable Glosse upon his Meaning, who may very well be suspected to be *no great Friend* to the *Son*, having Publiquely *absolv'd* the Nation of the *Blood* of the *Father*.

Observe now, in the Last Place, how Bold the Presse is with the King's *Cause*, and *Authority*.

Interest of Eng. Pag. 49. *When as a part of the Legislative Power resides in the Two Houses, as also a Power to redresse Grievances, and to call into Question all Ministers of State and Justice, and all Subjects of whatsoever degree, in ease of Delinquency, it might be thought that a Part of the* Supreme Power *doth reside in them, though they have not the* honorary Title.]

Here is *Coordination* asserted, which is Destructive of the King's *Imperial* Title. Hear now the *Publishers* of the *Speeches of some of the late King's Judges*, viz. *Harrison*, *Carew*, &c. ---- In his *Preface* to the Reader, He calls them *the Servants of Christ*; and Publishes the Story, (as he sayes) *that men may see what it is to have an Interest in Christ, in a dying hour, and to be faithful to his Cause.*] If *These People* Suffered for *God's Cause*, by what Authority did *They* Act that put them to *Death?*

Pag. 11. *Mr.* Carew *could have Escap'd* (he sayes) *but would not; knowing how much the Name and Glory of God was concern'd in his Faithful Witness to the Cause of Christ, for which he was in Bonds.*] In another Place, a Letter is pretended to be written *to a Christian Friend by Mr. Justice Cook.*

I link

I look upon it as the most Noble and High Act of Justice, that our Story can Parallel, and so far as I had a hand in it, never any one Action in all my life comes to my mind with lesse Regret, or Trouble of Conscience, then that does: for the Bloud must lye upon Him (meaning the King) *or upon the* Parliament.] More of This Stuffe there is, but it would be too tedious. Proceed now to the Narrative of *John James*. Pag. 41.

If there hath been any undue Combination against this poor man, if for some Reason of State, rather then for any real Guilt on his part, he was made an Example; if his Judgment and Conscience, rather then any Just Crime, were the cause of his Condemnation, as he so often declared; if, submitting to a Tryal by the Word of God, he was judged contrary thereto; the Lord in his due time will Manifest, and his Bloud will most certainly be required, &c.] And again, Preface.

He was Tryed in so high a Court, there being several Judges before him, and four of the King's Counsellours, besides the Atturny, and Solicitour General, pleading against him to take away his Life; and a Jewry of Knights and Gentlemen, all of the same spirit, thirsting after his Bloud, &c.] Pag. 36.

Take now for a Close, the Miserable Madness of another Pamphlet, against *the King's Proclamation Prohibiting Conventicles.*

Oh it is sad to Consider, that the Proclamation of a poor Worm, should not only Command mens persons, but their very Spirits also. Loud Call, Pag. 16.

If any King or Powers dare offer to intrench on men's Consciences, to their utmost Peril be it; and if men give way to their usurped Authorities, to their uttermost Perils be it also; No Governours nor Rulers have any more Power as from God, to give Laws in matters of Religion, or to Rule over mens Consciences, then they have to sit in Gods Throne in Heaven, or to pluck him from his Throne. Ibid. Pag. 17.

Stand

Ibid. *Stand up for your Meetings, and holy Services, let Men and Powers Decree never so Contrary.*

I might Insist upon divers other Seditious Pamphlets, but let This Suffice. Here is the Sacred *Government* of the *Church Vilify'd*; the *Rulers* of it *Revil'd*; the *People Animated* and *Enflam'd* against the *Magistrate*. Here is the *Prerogative* of his Most Gratious *Majesty*, not onely *question'd*, but *Disclaim'd*; his *Indulgence Trampled upon*; and the Execrable *Murtherers* of his *Royal Father* Sainted.

Let the World now Determine, Whether it be not highly *Necessary* that These *Bold* and *Pestilent Defamations*, should be either *Punished*, or *Confuted*.

FINIS.